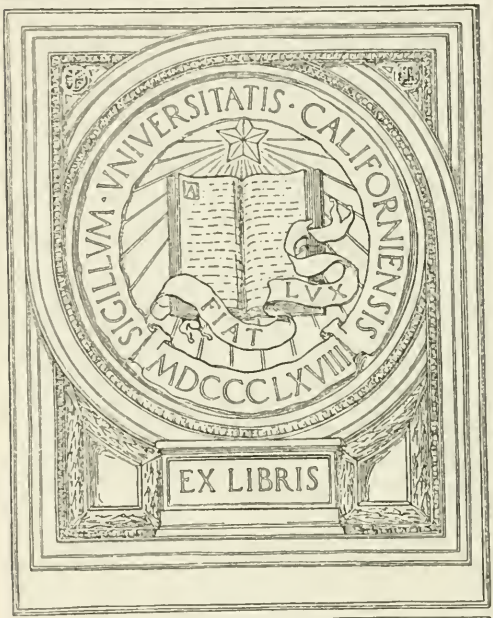
UNIVERSITY OF CALIFORNIA
AT LOS ANGELES



ROBERT ERNEST COWAN

LELAND STANFORD JUNIOR UNIVERSITY PUBLICATIONS
1908 TRUSTEES' SERIES NO. 16

TRUSTEES' MANUAL

OF

LEGISLATION, TRUSTS, FACULTY ORGANIZATION, BY-LAWS, RULES OF ORDER

AND

GENERAL RESOLUTIONS

FIRST EDITION
Correct to November 1, 1908

STANFORD UNIVERSITY, CALIFORNIA
PUBLISHED BY THE UNIVERSITY
1908

TRUSTEES' SERIES

No.		Date.
1.	The Leland Stanford Junior University. A pamphlet of information	(No date)
2.	Address of Jane Lathrop Stanford to the Board of Trustees	February 11, 1897
3.	Address of Jane Lathrop Stanford to the Board of Trustees	June 1, 1897
4.	Address of Jane Lathrop Stanford to the Board of Trustees	May 31, 1899
5.	Address of Jane Lathrop Stanford to the Board of Trustees	October 3, 1902
6.	Address on "The Right of Free Speech," by Jane Lathrop Stanford to the Board of Trustees	April 25, 1903
7.	Petition filed in proceeding to establish and construe University Trusts	June 16, 1903
8.	Decree in proceeding to establish and construe University Trusts	July 3, 1903
9.	Inaugural address of Jane Lathrop Stanford as President of the Board of Trustees	July 6, 1903
10.	Organization of the Faculty of the University	March 31, 1904
11.	Report of the Organization Committee of the Trustees upon the Organization of the University Faculty	March 31, 1904
12.	First Annual Report of the President	December 31, 1905
13.	Second Annual Report of the President	April 30, 1906
14.	Third Annual Report of the President	December 31, 1906
15.	Fourth Annual Report of the President	December 31, 1907
16.	Trustees' Manual	November 1, 1908

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CONTENTS.

PAGE

I. Roll of Trustees....5-10
Founders....7
Present Trustees....7
Former Trustees....8
Succession of Trustees....9

II. Legislation....11
Enabling Act, March 9, 1885....13-18
Constitutional Amendment, November 6, 1900....18-19
Act conferring Corporate Powers, February 14, 1901....19-20
Act concerning Taxation and Tuition Fees, February 14, 1901, as amended March 6, 1907....20-21
Act providing for determination of validity and legal effect of Grants, etc., February 10, 1903....21-27
Act providing for Resignation of Surviving Founder and Succession of Trustees, March 13, 1903....27-29
Sec. 2295, P. C., concerning official state publications....29

III. Decree determining the terms, validity and legal effect of University Trusts, July 3, 1903....31-86
Founding Grant, November 11, 1885....53-64
Amendments of June 1, 1897....64-66
Amendments of May 31, 1899....66-70
Assumption of Corporate Powers, November 1, 1901....70-72
Amendments of October 3, 1902....72-81
Resignation of Surviving Founder, June 1, 1903....81-83
General Provisions of Decree, July 3, 1903....83-86

IV. Supplementary Decree....87-96

V. Articles of Organization of the Faculty, March 31, 1904....97-110

VI. By-Laws and Rules of Order of the Board of Trustees, as revised March 29, 1907....111-124

VII. General Resolutions of the Board of Trustees....125-163

Index....165

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PART I.

FOUNDERS

MEMBERS OF BOARD OF TRUSTEES

FORMER TRUSTEES

SUCCESSION OF TRUSTEES

LELAND STANFORD JUNIOR UNIVERSITY.

Founded November 11, 1885.

LELAND STANFORD, JR.

Born at Sacramento, California, May 14, 1868.

Died at Florence, Italy, March 13, 1884.

FOUNDERS.

LELAND STANFORD.

Born at Watervliet, Albany County, New York, March 9, 1824.

Died at his Palo Alto Residence, June 21, 1893.

JANE LATHROP STANFORD.

Born at Albany, New York, August 25, 1828.

Died at Honolulu, Hawaiian Islands, February 28, 1905.

TRUSTEES

Constituting the Board of Trustees of the Leland Stanford Junior University.

Name.	Appointment or Election.	Acceptance.	Term.
Horace Davis	Nov. 11, 1885	Nov. 14, 1885	Life
*T. B. McFarland	Nov. 11, 1885	Nov. 14, 1885	Life
Timothy Hopkins	Nov. 11, 1885	Nov. 14, 1885	Life
George E. Gray	Nov. 11, 1885	Nov. 14, 1885	Life
Samuel F. Leib	April 22, 1891	Apr. 23, 1891	Life
Joseph D. Grant	April 22, 1891	Apr. 23, 1891	Life
Leon Sloss	Dec. 4, 1891	Dec. 10, 1891	Life
Charles G. Lathrop	Nov. 7, 1893	Nov. 9, 1893	Life
Frank Miller	Nov. 7, 1893	Nov. 15, 1893	Life
Thomas W. Stanford	Nov. 7, 1893	Dec. 21, 1893	Life
George E. Crothers	Oct. 3, 1902	Oct. 3, 1902	10 Years
Whitelaw Reid	Oct. 3, 1902	Oct. 21, 1902	10 Years
William Babcock	Jan. 7, 1905	Jan. 7, 1905	10 Years
Charles P. Eells	Jan. 7, 1905	Jan. 7, 1905	10 Years
Vanderlynn Stow	Nov. 2, 1906	Nov. 2, 1906	10 Years

* Died September 16, 1908.

FORMER TRUSTEES.

Named in Founding Grant, November 11, 1885.

Name.	Death or Resignation.
Lorenzo Sawyer	Died Sept. 7, 1891
H. W. Harkness	Died July 10, 1901
James Mc-M. Shafter	Died Aug. 29, 1892
Josiah Stanford	Died May 14, 1890
Charles Goodall	Died July 13, 1899
Alfred L. Tubbs	Died Dec. 26, 1896
John F. Miller	Died Mar. 8, 1886
Francis E. Spencer	Died April 23, 1898
John Boggs	Died Jan. 30, 1899
Henry Vrooman	Died April 8, 1889
Charles F. Crocker	Died July 17, 1887
Isaac S. Belcher	Died Nov. 30, 1898
John Q. Brown	Died Dec. 20, 1892
Henry L. Dodge	Died Feb. 24, 1902
Irving M. Scott	Resig'd May 11, 1898
N. W. Spaulding	Resig'd Apr. 24, 1903
William Ashburner	Died April 20, 1887
Matthew P. Deady	Died Mar. 24, 1893
William M. Stewart	Resig'd Oct. 31, 1904
Stephen J. Field	Resig'd Oct. 15, 1894

Appointed and Elected.

Name.	Appointment or Election.	Death or Resignation.
Horatio Stebbins	Nov. 12, 1886	Died April 9, 1902
Edward R. Taylor	Dec. 4, 1891	Resig'd May 9, 1899
Josiah W. Stanford	April 29, 1896	Resig'd May 31, 1898
Russell J. Wilson	Feb. 2, 1897	Resig'd Oct. 24, 1904
Jane L. Stanford	July 6, 1903	Died Feb. 28, 1905

SUCCESSION OF TRUSTEES.

Original Trustees.	Successors.
Lorenzo Sawyer,	Leon Sloss.
H. W. Harkness,	(Permanent Vacancy)
James Mc. M. Shafter,	Charles G. Lathrop,
Josiah Stanford,	Edward R. Taylor.
	(Permanent Vacancy)
Charles Goodall,	(Permanent Vacancy)
Horace Davis,	Active.
Alfred L. Tubbs,	Russell J. Wilson,
	William Babcock.
John F. Miller,	Horatio Stebbins.
	Whitelaw Reid.
Francis E. Spencer,	(Permanent Vacancy)
John Boggs,	(Permanent Vacancy)
Henry Vrooman,	Samuel F. Leib.
T. B. McFarland,	Died Sept. 16, 1908.
Charles F. Crocker,	(Permanent Vacancy)
Isaac S. Belcher,	(Permanent Vacancy)
Timothy Hopkins,	Active,
John Q. Brown,	Frank Miller.
Henry L. Dodge,	George E. Crothers,
George E. Gray,	Active,
Irving M. Scott,	(Permanent Vacancy)
N. W. Spaulding,	Jane L. Stanford,
	Vanderlynn Stow.
William Ashburner,	Joseph D. Grant,
Matthew P. Deady,	Thomas W. Stanford,
William M. Stewart,	Charles P. Eells,
Stephen J. Field,	Josiah W. Stanford,
	(Permanent Vacancy)

PART II.

LEGISLATION:

ENABLING ACT

CONSTITUTIONAL AMENDMENT

ACT CONFERRING CORPORATE POWERS

ACT CONCERNING TAXATION AND TUITION FEES

ACT PROVIDING FOR DETERMINATION OF VALIDITY AND LEGAL EFFECT OF GRANTS, ETC.

ACT PROVIDING FOR RESIGNATION OF SURVIVING FOUNDER AND SUCCESSION OF TRUSTEES.

SEC. 2295, P. C., CONCERNING OFFICIAL STATE PUBLICATIONS

THE ENABLING ACT.

An act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding and protection of property, and the creation of trusts for the founding, endowment, erection and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums and galleries of art.

[Approved March 9, 1885. Stats. 1885, p. 49.]

The people of the State of California, represented in Senate and Assembly, do enact as follows:

Section 1. The provisions of this Act shall be liberally construed with a view to effect its objects and promote its purposes; and in the construction thereof the singular number shall be deemed to include the plural, and the plural shall be deemed to include the singular number, and the masculine gender shall be deemed to include the feminine.

Sec. 2. Any person desiring, in his life time, to promote the public welfare by founding, endowing, and having maintained, within this State, a university, college, school, seminary of learning, mechanical institute, museum, or gallery of art, or any or all thereof, may, to that end, and for such purpose, by grant in writing, convey to a Trustee, or to any number of Trustees named in such grant (and to their successors), any property, real or personal, belonging to such person, and situated or being within this State, provided, that if any such person be married and the property be community property, then both husband and wife must join in such grant.

Sec. 3. The person making such grant may therein designate:

1. The nature, object and purposes of the institution or institutions to be founded, endowed and maintained.

2. The name by which it or they shall be known.

3. The powers and duties of the Trustees, and the manner in which they shall account, and to whom, if accounting be required; but such powers and duties shall not be held to be exclusive of other powers and duties which may be necessary to enable such Trustees to fully carry out the objects of such grant.

4. The mode and manner, and by whom, the successors to the Trustee or Trustees named in the grant are to be appointed.

5. Such rules and regulations for the management of the property conveyed as the grantor may elect to prescribe; but such rules shall, unless the grantor otherwise prescribe, be deemed advisory only, and shall not preclude such Trustees from making such changes as new conditions may from time to time require.

6. The place or places where, and the time when, the buildings necessary and proper for the institution or institutions shall be erected, and the character and extent thereof. The person making such grant may therein provide for all other things necessary and proper to carry out the purposes thereof, and especially may such person provide for the trades and professions which shall be taught in such institutions, and the terms upon which deserving scholars of the public and private schools of the various counties of this State may be admitted to all the privileges of such institutions, as a reward for meritorious conduct and good scholarship; and also for maintaining free scholarships for children of persons who have rendered service to or who have died in the service of this State; and also for maintaining free scholarships for children of mechanics, tradesmen and laborers, who have died without leaving means sufficient to give such children a practical education, fitting

them for the useful trades or arts; and also the terms and conditions upon which students in the public and private schools, and other deserving persons may, without cost to themselves, attend the lectures of any university established; and also the terms and conditions upon which the museums, and art galleries, and conservatories of music connected with any such institution, shall be open to all deserving persons, without charge, and without their becoming students of the institution.

Sec. 4. The Trustee or Trustees named in such grant, and their successors, may, in the name of the institution or institutions, as designated in such grant, sue and defend, in relation to the trust property, and in relation to all matters affecting the institution or institutions endowed and established by such grant.

Sec. 5. The person making such grant, by a provision therein, may elect, in relation to the property conveyed and in relation to the erection, maintenance and management of such institution or institutions, to perform, during his life, all the duties and exercise all the powers which, by the terms of the grant, are enjoined upon and vested in the Trustee or Trustees therein named. If the person making such grant, and making the election aforesaid, be a married person, such person may further provide that if the wife of such person survive him, then such wife, during her life, may, in relation to the property conveyed, and in relation to the erection, maintenance, and management of such institution or institutions, perform all the duties and exercise all the powers which, by the terms of the grant, are enjoined upon and vested in the Trustee or Trustees therein named, and in all such cases the powers and duties conferred and imposed by such grant upon the Trustee or Trustees therein named, shall be exercised and performed by the person making such grant, or by his wife during his or her life, as the case may be; provided, however, that upon the death of such person, or his surviving wife, as the case may be, such powers and duties shall

devolve upon and shall be exercised by the Trustees named in the grant and their successors.

Sec. 6. The person making such grant may therein reserve the right to alter, amend or modify the terms and conditions thereof and the trusts therein created, in respect to any of the matters mentioned or referred to in subdivisions one to six inclusive, of section two (three) hereof; and may also therein reserve the right, during the life of such person or persons, of absolute dominion over the personal property conveyed, and also over the rents, issues, and profits of the real property conveyed, without liability to account therefor in any manner whatever and without any liability over against the estate of such person; and if any such person be married, such person may, in said grant, further provide that if his wife survive him, then such wife, during her life, may have the same absolute dominion over such personal property, and such rents, issues and profits, without liability to account therefor in any manner whatever, and without liability over against the estate of either of the spouses.

Sec. 7. The person making such grant may therein provide that the Trustees named in the grant, and their successors, may in the name of the institution or institutions, become the custodian of the persons of minors, and when any such provision is made in a grant, the Trustees and their successors may take such custody and control in the manner and for the time, and in accordance with the provisions of sections two hundred and sixty-four to two hundred and seventy-six, inclusive, of the Civil Code of the State of California.

Sec. 8. Any such grant may be executed, acknowledged and recorded in the same manner as is now provided by law for the execution, acknowledgment and recording of grants of real property.

Sec. 9. No suit, action, or proceeding shall be commenced or maintained by any person to set aside, annul,

or affect said conveyance, or to affect the title to the property conveyed, or the right to the possession, or to the rents, issues and profits thereof, unless the same be commenced within two years after the date of filing such grant for record; nor shall any defense be made to any suit, action or proceedings commenced by the Trustee or Trustees named in said grant, or their successors, privies or persons holding under them, which defense involves the legality of said grant, or affects the title to the property thereby conveyed, or the right to the possession, or the rents, issues and profits thereof, unless such defense is made in a suit, action or proceeding commenced within two years after such grant shall have been filed for record.

Sec. 10. The property conveyed by such grant shall not, after the lapse of two years from the date of the filing for record of the grant, be subject to forced sale under execution, or judicial proceedings of any kind, against the grantor or his privies, unless the action under which the execution shall be issued, or the proceedings under which the sale shall be ordered, shall have been commenced within two years after such grant shall have been filed for record. Nor shall such property be subject to execution or forced sale under any judgment obtained in any proceedings instituted within said two years, if there be other property of the grantor subject to execution or forced sale sufficient to satisfy such judgement, provided, nothing in this section contained shall be construed to affect mechanics' or laborers' liens.

Sec. 11. Any person or persons making any such grant may, at any time thereafter, by last will or testament, devise and bequeath to the State of California all or any of the property, real and personal, mentioned in such grant, or in any supplemental grant, and such devise or bequest shall only take effect in case, from any cause whatever, the grant shall be annulled, or set aside, or the trusts therein declared shall for any reason fail. Such devise and bequest is hereby permitted to be made by way of assurance that

the wishes of the grantor or grantors shall be carried out, and in the faith that the State, in case it succeeds to the property, or any part thereof, will, to the extent and value of such property, carry out, in respect to the objects and purposes of any such grant, all the wishes and intentions of the grantor or grantors; provided, that no wish, direction, act or condition expressed, made, or given by any grantor or grantors, under or by virtue of this act, as to religious instruction to be given in such school, college, seminary, mechanical institute, museum or gallery of art, or in respect to the exercise of religious belief, on the part of any pupil or pupils of such school or institution of learning, shall be binding upon the State; nor shall the State enforce, or permit to be enforced or carried out, any such wish, direction, act or condition.

Sec. 12. This act shall be in force from and after its passage.

CONSTITUTIONAL AMENDMENT.

Article IX.

(Adopted November 6, 1900.)

Section 10. The trusts and estates created for the founding, endowment, and maintenance of the Leland Stanford Junior University, under and in accordance with "An Act to advance learning, etc.," approved March ninth, eighteen hundred and eighty-five, by the endowment grant executed by Leland Stanford and Jane Lathrop Stanford on the eleventh day of November, A. D. eighteen hundred and eighty-five, and recorded in liber eighty-three of deeds, at page twenty-three, et seq., records of Santa Clara County, and by the amendments of such grant, and by gifts, grants, bequests, and devises supplementary thereto, and by confirmatory grants, are permitted, approved, and confirmed. The board of trustees of the Leland Stanford Junior University, as such, or in the name of the institution, or by

other intelligible designation of the trustees or of the institution, may receive property, real or personal, and wheresoever situated, by gift, grant, devise, or bequest, for the benefit of the institution, or of any department thereof, and such property, unless otherwise provided, shall be held by the trustees of the Leland Stanford Junior University upon the trusts provided for in the grant founding the university, and amendments thereof, and grants, bequests, and devises supplementary thereto. The Legislature, by special act, may grant to the trustees of the Leland Stanford Junior University corporate powers and privileges, but it shall not thereby alter their tenure, or limit their powers or obligations as trustees. All property now or hereafter held in trust for the founding, maintenance, or benefit of the Leland Stanford Junior University, or of any department thereof, may be exempted by special act from the State taxation, and all personal property so held, the Palo Alto farm as described in the endowment grant to the trustees of the university, and all other real property so held and used by the university for educational purposes exclusively, may be similarly exempted from county and municipal taxation; provided, that residents of California shall be charged no fees for tuition unless such fees be authorized by act of the Legislature.

ACT CONFERRING CORPORATE POWERS.

An act granting to the trustees of the Leland Stanford Junior University corporate powers and privileges.

[Approved February 14, 1901. Stats. 1901, p. 4.]

The people of the State of California, represented in Senate and Assembly, do enact as follows:

Section 1. The trustees of the Leland Stanford Junior University are given the right to exercise corporate powers

and privileges, and to that end they may organize and act as a board of trustees, elect such officers of such board as they may deem to be necessary, adopt by-laws, and as such board, and through the officers thereof, they may transact such business, perform such acts and exercise such powers as they in writing may provide may be transacted, performed and exercised by such board.

Such board may adopt a seal which shall read, "Seal of the Leland Stanford Junior University," and such seal, when attached to any document or writing, shall be prima facie evidence that such document or writing was made by and under due authority from such board and from such trustees.

Nothing herein shall be deemed to alter the tenure or limit the powers or obligations of such trustees.

Sec. 2. This act shall take effect from its passage.

ACT CONCERNING TAXATION AND TUITION FEES.

An act to amend an act entitled "An act exempting from taxation a portion of the property held in trust for the benefit of the Leland Stanford Junior University," approved February 14, 1901, relating to tuition fees in said university.

[Approved March 6, 1907.]

The people of the State of California, represented in Senate and Assembly, do enact as follows:

Section 1. Section one of an act entitled, "An act exempting from taxation a portion of the property held in trust for the benefit of the Leland Stanford Junior University," approved February 14, 1901, is hereby amended so as to read as follows:

Section 1. The university buildings of the Leland Stanford Junior University, situate in the county of Santa Clara,

State of California, used for university purposes, and all bonds held or that may be held by the trustees of such university in trust for the benefit of such university, shall be exempt from taxation; provided, that all other property, real and personal, held in trust for the benefit of such university, shall be subject to state, county and municipal taxation; and provided further, that while this act is in force no fees shall be charged residents of this state for tuition at such university, except that such fees may be charged in professional and engineering courses, but no such fees shall be charged to any student who is registered in any of such courses when this act takes effect.

Sec. 2. This act shall take effect from its passage.

ACT PROVIDING FOR DETERMINATION OF VALIDITY AND LEGAL EFFECT OF GRANTS, ETC.

An act to provide for proceedings for the ascertainment of the existence and terms of, and for the determination of the validity and legal effect of grants or other instruments creating, changing or affecting trusts and estates for the founding, endowment and maintenance of a university, college, school, seminary of learning, mechanical institute, museum, gallery of art, or library, or any other institution, or any or all thereof, under or pursuant to an act entitled "An act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885, or under or pursuant to an act entitled "An act to encourage and provide for the dissemination of a knowledge of the arts, sciences, and general literature, and the founding, maintaining, and perpetuating public libraries, museums, and galleries of art, and the receipt of donations

and contributions thereto when established; for the conveyance, holding and protection of real property within this State suitable for the purposes herein designated, and the erection thereon of buildings appropriate to such purposes, and for the creation of trusts necessary or proper for the better preservation of such institutions, and the control and management thereof," approved March 5, 1887.

[Approved February 10, 1903. Stats. 1903, p. 9.]

The people of the State of California, represented in Senate and Assembly, do enact as follows:

Section 1. The trustee or trustees of any trust or trusts heretofore or hereafter created for the founding, endowment and maintenance of a university, college, school, seminary of learning, mechanical institute, museum, gallery of art, library or any other institution, or any or all thereof, under or pursuant to an act entitled "An act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885, or under or pursuant to an act entitled "An act to encourage and provide for the dissemination of a knowledge of the arts, sciences, and general literature, and the founding, maintaining, and perpetuating public libraries, museums, and galleries of art, and the receipt of donations and contributions thereto when established; for the conveyance, holding and protection of real property within this State suitable for the purposes herein designated, and the erection thereon of buildings appropriate to such purposes, and for the creation of trusts necessary or proper for the better preservation of such institutions, and the control and management thereof," approved March 5, 1887.

may commence a special proceeding in and by which may be determined all questions of law and fact affecting the existence of, and the due and voluntary execution and delivery, and the terms, validity and legal effect of the grant or grants founding the same, and of all amendments or attempted amendments thereof, and of any supplemental grants or gifts, and of any confirmatory conveyances, of the founder or founders, or surviving founder, or wife or widow of any such founder; and in and by which may be determined all questions of law and fact affecting the due and voluntary execution and delivery, and the validity and legal effect, of any gift or grant made in general terms for the benefit of the institution or institutions, or of any department thereof, or of any gift or grant made in general terms for the benefit of the institution or institutions, or of any department thereof, upon the trusts provided for in the grant founding the institution or institutions, and amendments thereof and grants, bequests and devises supplementary thereto, and in and by which may be determined all questions bearing upon the passing to the trustee or trustees of the legal title to the properties, real and personal, conveyed or attempted to be conveyed, so far as such property or the proceeds thereof, or any property acquired in exchange therefor or with proceeds thereof, may be described in the petition herein provided for, and the interest or title of the trustee or trustees in or to any such property described in such petition; and in and by which may be determined all questions of law and fact affecting the due and voluntary execution and delivery, and the validity and legal effect, of any grant or surrender by any such founder or founders, surviving founder, or wife or widow of any founder, to, or in favor of, such trustee or trustees, of any rights, powers, privileges or duties reserved to or vesting in any such person or persons over or concerning any property described in the petition herein provided for, or over or concerning any such institution or institutions so founded, which would otherwise vest in or devolve upon such trustee or trustees upon the death of the person or

persons so granting or surrendering the same, and of any relinquishment or release by the founder or founders, surviving founder, or wife or widow of any founder, of any other such rights, powers, privileges or duties so reserved to or vesting in any such person or persons. To this end the trustee or trustees of any trust hereinbefore referred to, in the name of the institution or institutions so founded, or in the name of the trustee or trustees of such institution or institutions, or in the name of the board of trustees of such institution or institutions, may file, in the superior court of the county in which the lands described in the founding grant or grants, or some portion thereof, are situated, or, if no real estate has been granted as herein provided to such trustees, then in the county where the main part of any such institution or institutions is situated, a petition in writing, signed by counsel for such trustee or trustees, or by counsel for a majority thereof, which petition shall contain copies of all such grants, amendments, attempted amendments, supplemental grants, instruments of gift, confirmatory conveyances, and grants and instruments of surrender, relinquishment or release, hereinbefore mentioned or referred to, so far as known to such trustee or trustees; and the petition shall allege in general terms the due and voluntary execution and delivery, and the validity, of any and all of such instruments, copies of which are set out in the petition, and shall describe all property, real and personal, the legal title to which is held or claimed to be held by said trustee or trustees under or by virtue of any or all of such instruments, whether or not the same be the original property conveyed, the proceeds thereof, or reinvested proceeds; and the petition shall allege in general terms the estate or interest which the trustee or trustees have or claim in or to the property described; and the petition shall pray, in effect, that the court examine and determine all questions of law and fact affecting the due and voluntary execution and delivery, and the terms, validity and legal effect of all such instruments, copies of which are so set out in the petition; and that the court examine

and determine all questions bearing upon the passing to the trustee or trustees, of the legal title to all the properties, real and personal, so conveyed or attempted to be conveyed, so far as the same or the proceeds thereof, or any property acquired in exchange therefor or with the proceeds thereof, may be described in said petition; and that the court examine and determine the interest or title of the trustee or trustees in or to any such property; and that it be established and determined that the trustee or trustees are rightfully vested with the legal title thereto.

Sec. 2. The court or judge shall fix the time for the hearing of said petition, and shall order the clerk of the court to post in at least three public places in the county a notice of the filing of said petition, attached to a copy of said petition, and order a copy of such notice together with a copy of the petition to be personally served upon the founder or founders, if living, and upon the surviving wife or widow of any founder, and upon any living grantor or donor of any other grant or gift set out in the petition and may order such other or further notice to be given as the judge or court may deem proper. Such notice shall be posted and served at least ten days before the hearing. If the court or judge finds upon the hearing that due and proper notice has not been given as herein provided, it shall reset the hearing and cause such due and proper notice to be given. The notice and petition shall be entitled substantially in the following form:

In the Superior Court of the.....County of ....., State of California.

In the matter of the petition of.....(giving the name or names in which the petition is brought) for the ascertainment of the existence and terms of, and for the determination of the validity and legal effect of grants or other instruments creating, changing or affecting trusts and estates for the founding, endowment and maintenance of.....(naming the institution or institutions founded).

The notice shall state the time and place fixed for the hearing of the petition and shall be addressed to the founder or founders, living, and to the surviving wife or widow of any founder, and the living grantor or donor of any other grant or gift set out in the petition, and in general terms to all other persons having or claiming any interest in, or rights, powers, or duties over or concerning the property described in the petition; and shall direct that they and each of such persons appear and answer said petition on or before the time set for said hearing; and shall state that unless said persons so appear and demur or answer, the petitioners will apply to the court to grant the prayer of the petition, and that each person failing to so appear and answer, shall be deemed to admit as true all the material allegations of the petition.

Any of the persons so required to be served, or any other person so interested may waive notice by written waiver filed with the clerk of the court.

Sec. 3. Any person interested in the determination of any of the questions presented by the petition may demur to or answer said petition and may set up any new matter affecting the determination of any such questions. Any allegation of the petition or answer may be made upon information and belief. The provisions of the Code of Civil Procedure respecting the demurrer and the answer to a verified complaint, shall be applicable to a demurrer or answer to said petition. The persons so demurring to or answering said petition shall be the defendants to said special proceeding and the petitioners shall be the plaintiffs. Every material statement of the petition not specifically controverted by the answer must, for the purposes of said special proceeding, be taken as true; and each person failing to answer the petition shall be deemed to admit as true all the material allegations of the petition. The rules of pleading and practice provided for by the Code of Civil Procedure, which are not inconsistent with the provisions of this act, are applicable to the special proceeding herein provided for.

Sec. 4. Upon the hearing of such special proceeding, the court shall have power and jurisdiction to examine into and determine all questions of law and fact within the scope of the proceeding herein provided for, whether presented by the petition or answer, or by the proofs upon the hearing.

The court shall find and determine whether the notice of the filing of said petition has been duly given for the time and in the manner in this act prescribed.

The costs of the special proceeding may be allowed and apportioned between all parties, in the discretion of the court.

Sec. 5. A certified copy of the judgement of the court in such special proceeding shall be recorded in the office of the recorder of the county in which the action is brought and in the office of the recorder of every county in which any of the real property affected is situated.

Sec. 6. The judgment of the court in such special proceeding shall be determinative of the terms and trusts upon which any property thereafter given for the benefit of such institution or institutions, or any department thereof, shall be held by such trustee or trustees, unless otherwise provided by the grantor or donor of such property.

Sec. 7. This act shall take effect and be in force from and after its passage.

ACT PROVIDING FOR RESIGNATION OF SURVIVING FOUNDER AND SUCCESSION OF TRUSTEES.

An act supplemental to an act entitled "An act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art,"

approved March 9, 1885, concerning the resignation, relinquishment or surrender of rights, powers, privileges and duties reserved to or vesting in the founder or founders, surviving founder, or wife or widow of any founder, of any institution created or founded under or pursuant to said act, and concerning the assumption and exercise of powers and duties by the trustee or trustees of such institution.

(Approved March 13, 1903. Stats. 1903, p. 140.)

The people of the State of California, represented in Senate and Assembly do enact as follows:

Section 1. The founder or founders, surviving founder or wife or widow of any founder, of a university, college, school, seminary of learning, mechanical institute, museum, gallery of art, library or any other institution, or any or all thereof, founded under or pursuant to an act entitled "An act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," approved March 9, 1885, may, by an instrument in writing, resign, relinquish and surrender all the rights, powers, privileges and duties reserved to or vesting in such founder or founders, surviving founder, or wife or widow of such founder, over, in, or concerning any of the property granted or given to such institution or institutions, or over or concerning any such institution or institutions so founded, and thereupon all estates, rights, powers, privileges, trusts and duties which would otherwise vest in or devolve upon the trustee or trustees of the trusts and estates created for the founding, endowment and maintenance of any such institution or institutions upon the death of the person or persons so resigning, relinquishing and surrendering, by terms of

the grant founding the institution or institutions, and amendments thereof, and by the terms of any grants, gifts, bequests, and devises supplementary thereto, or of any confirmatory grants, shall immediately vest in and devolve upon such trustee or trustees. Nothing herein contained shall prevent such person or persons so resigning, relinquishing and surrendering such rights, powers, privileges, or duties from thereafter becoming and serving as one of such trustees, or from becoming and serving as an officer of any board of such trustees.

Sec. 2. This act shall take effect and be in force from and after its passage.

OFFICIAL STATE PUBLICATIONS.

Section 2295, Political Code. General duties of State Librarian:

8. To distribute to the State university, to the Leland Stanford Jr. University, to each incorporated college in the State, to each public library therein, and to such other literary and scientific institutions therein as his judgment may dictate, one copy each of all official State publications, including the laws, journals and appendices of the legislature, and to establish and maintain with similar public institutions of the general government, the other States, and foreign countries, a system of exchange of such State publications for like official publications and other valuable works. The State Librarian is empowered to make requisition upon the Secretary of State for a sufficient number of such State publications, to enable him to carry out the requirements of this subdivision. En. March 12, 1872. Am'd 1873-4, 37; 1903, 82.

PART III.

DECREE DETERMINING THE TERMS, VALIDITY AND LEGAL EFFECT OF UNIVERSITY TRUSTS, INCLUDING:—

FOUNDING GRANT, NOVEMBER 11, 1885.

AMENDMENTS OF JUNE 1, 1897.

AMENDMENTS OF MAY 31, 1899.

ASSUMPTION OF CORPORATE POWERS, NOVEMBER 1, 1901.

AMENDMENTS OF OCTOBER 3, 1902.

RESIGNATION OF SURVIVING FOUNDER, JUNE 1, 1903.

GENERAL PROVISIONS OF DECREE, JULY 3, 1903.

No. 14912 Department 2

Superior Court

County of Santa Clara

State of California

In the Matter of the Petition of the

LELAND STANFORD JUNIOR UNIVERSITY, AND OF TIMOTHY HOPKINS, HORACE DAVIS, THOMAS B. MCFARLAND, GEORGE E. GRAY, WILLIAM M. STEWART, JOSEPH D. GRANT, SAMUEL F. LEIB, LEON SLOSS, THOMAS W. STANFORD, FRANK MILLER, CHARLES G. LATHROP, RUSSELL J. WILSON, WHITELAW REID AND GEORGE E. CROTHERS, AS TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY, FOR THE ASCERTAINMENT OF THE EXISTENCE AND TERMS OF, AND FOR THE DETERMINATION OF THE VALIDITY AND LEGAL EFFECT OF GRANTS OR OTHER INSTRUMENTS, CREATING, CHANGING OR AFFECTING TRUSTS AND ESTATES FOR THE FOUNDING, ENDOWMENT AND MAINTENANCE OF THE LELAND STANFORD JUNIOR UNIVERSITY.

Decree

THOMAS G. CROTHERS
MILLS BUILDING - - SAN FRANCISCO
Attorney for Petitioners

In the Superior Court of the County of Santa Clara
State of California

In the Matter of the Petition of the
LELAND STANFORD JUNIOR UNIVERSITY,
and of
Timothy Hopkins, Horace Davis, Thomas B. McFarland, George E. Gray, William M. Stewart, Joseph D. Grant, Samuel F. Leib, Leon Sloss, Thomas W. Stanford, Frank Miller, Charles G. Lathrop, Russell J. Wilson, Whitelaw Reid and George E. Crothers, as Trustees of the Leland Stanford Junior University, for the ascertainment of the existence and terms of, and for the determination of the validity and legal effect of grants or other instruments creating, changing or affecting trusts and estates for the founding, endowment and maintenance of the Leland Stanford Junior University.

Decree

The above entitled matter came on regularly for hearing by this Court without a jury, on Saturday, the 27th day of June, 1903, at the hour of 10:00 o'clock A. M., at the Courtroom of this Court, Department Number 2 thereof, at the County Courthouse in the City of San Jose, in the County of Santa Clara, State of California, said time and said place

being the time and place heretofore fixed by this Court for hearing said petition. Thomas G. Crothers Esq. appeared as attorney and counsel for Petitioners, and Messrs. Wilson & Wilson appeared by Mountford S. Wilson Esq., one of said firm, as attorneys and counsel for Jane Lathrop Stanford individually and as Surviving Founder of the Leland Stanford Junior University and as surviving widow of Leland Stanford, deceased, and said Jane Lathrop Stanford was personally present in Court.

The said Jane Lathrop Stanford individually and as such Surviving Founder and as such surviving widow, duly filed herein her verified answer, in which she admitted each and every allegation contained in said Petition and prayed that the prayer of said Petition be granted and that the Court make and render such further order, judgment, decree or relief as may be proper in the premises.

Thereupon this Court proceeded with the hearing of said matter, and witnesses were duly sworn and examined and evidence, both oral and documentary, was offered on behalf of petitioners and received and admitted by the Court, and thereafter said matter and hearing was duly and regularly continued by the Court until Thursday, the 2nd day of July, 1903, at the hour of 10:00 o'clock A. M., at the same place; and upon the said Thursday, the 2nd day of July, 1903, said matter again came on regularly for hearing, and was thereupon again duly and regularly continued by the Court until Friday, the 3rd day of July, 1903, at the hour of 10:00 o'clock A. M., at the same place, and upon the said Friday, the 3rd day of July, 1903, at said hour and place, said matter again came on regularly for hearing before this Court and said hearing was resumed.

No further evidence was introduced, and said matter was thereupon submitted to the Court for consideration and decision, and findings of fact having been expressly waived in open Court by all parties to said matter, and the Court having duly and fully considered the same:

NOW THEREFORE IT IS HEREBY DETERMINED, ORDERED, ADJUDGED AND DECREED AS FOLLOWS, to-wit:

That the petition herein was duly filed in this Court on the 16th day of June, 1903, and thereupon this Court duly made its order fixing the time and place for the hearing of said petition and matter, and ordering the Clerk of this Court to post in at least three public places in the aforesaid County a notice of the filing of said petition and of the time and place set for the hearing of the same, attached to a copy of said petition, and ordering that a copy of such notice together with a copy of said petition be personally served upon Jane Lathrop Stanford, and upon Jane Lathrop Stanford as the Surviving Founder of the Leland Stanford Junior University, and upon Jane Lathrop Stanford as the surviving widow of Leland Stanford, deceased, and further ordering that such notice be given, posted and served as required by law.

That thereafter and upon the said 16th day of June, 1903, the Clerk of this Court duly made and posted in three public places in said County notices of the filing of said petition and of the time and place set for the hearing of the same, attached to true copies of said petition, and upon the same day true copies of said notice, attached to true copies of said petition were duly served upon the said Jane Lathrop Stanford and upon the said Jane Lathrop Stanford as the Surviving Founder of the Leland Stanford Junior University, and upon the said Jane Lathrop Stanford as the surviving widow of Leland Stanford, deceased.

That said notice so posted and served was, in substance and form, and in every other respect, as required by law and by said order of this Court, and particularly as prescribed by that certain Act of the Legislature of the State of California, approved February 10, 1903, and entitled:

"An act to provide for proceedings for the ascertainment of the existence and terms of, and for the determination of the validity and legal effect of grants or other instruments

288476

creating, changing or affecting trusts and estates for the founding, endowment and maintenance of a university, college, school, seminary of learning, mechanical institute, museum, gallery of art, or library, or any other institution, or any or all thereof under or pursuant to an act entitled 'An act to advance learning the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and the creation of trusts for the founding, endowment, erection, and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art,' approved March 9, 1885, or under or pursuant to an act entitled 'An act to encourage and provide for the dissemination of a knowledge of the arts, sciences, and general literature, and the founding, maintaining, and perpetuating public libraries, museums, and galleries of art, and the receipt of donations and contributions thereto when established; for the conveyance, holding and protection of real property within this State suitable for the purposes herein designated, and the erection thereon of buildings appropriate to such purposes, and for the creation of trusts necessary or proper for the better preservation of such institutions, and the control and management thereof,' approved March 5, 1887."

That said notice of the filing of said petition and of the time and place set for the hearing thereof was duly given for the time and in the manner prescribed in the aforesaid Act, and was posted and served more than ten days before the time set for said hearing.

That at the time of the filing of said petition the said Jane Lathrop Stanford was the only living founder or surviving founder, and the surviving wife or widow of Leland Stanford, her co-founder of the Leland Stanford Junior University, and the only living grantor or donor of any grant or gift set out in said petition.

That before the hearing of this matter the said Jane Lathrop Stanford duly filed herein her verified answer to

said petition, in which she, individually and as such Surviving Founder, and as such surviving widow, admitted each and every allegation contained in said petition and prayed that the prayer of said petition be granted and that the Court make and render such further order, judgment, decree or relief as may be proper in the premises.

That no other person demurred to or answered said petition or appeared in said matter, or took part in the hearing thereof.

That said petition, in contents, form, substance and in every other particular, complies with and conforms to the requirements of the aforesaid Act of the Legislature of the State of California; and each and every allegation contained in said petition is true and supported by the evidence offered and received upon the hearing of said matter.

That the said Grant dated the 11th day of November, A. D. 1885, described in, and a copy of which is set out in the said petition herein, and which was recorded in the office of the Recorder of Santa Clara County, State of California, in liber 83 of Deeds at page 23 and following, was duly and voluntarily made, signed and acknowledged by Leland Stanford and Jane Lathrop Stanford, and said Grant was, on the 14th day of November, 1885, duly and voluntarily delivered by said Leland Stanford and Jane Lathrop Stanford to the persons therein named as Trustees, and thereupon and thereafter, the said persons named in said Grant as Trustees duly accepted in writing the said Grant and the trusts therein imposed, as alleged in said petition.

That the making, signing, execution, acknowledgment and delivery of said Grant, which is generally known as and called the Founding Grant, were the due, free and voluntary acts of each of said grantors, Leland Stanford and Jane Lathrop Stanford and, at the time of the performance of each of said acts, each of said grantors was of sound mind and fully competent to perform said acts, and neither of said grantors was acting under duress, menace, fraud, mistake, undue influence, or other disability.

That said Founding Grant was, at the time of the execution and delivery thereof, and now is, valid and binding, and the full legal title in fee simple to all the property described or referred to therein, did, upon the delivery of said Grant, irrevocably pass to and vest in the Trustees therein named upon the trusts therein provided, and the full legal title in fee simple to all said property is now vested in and said property now belongs to the said Timothy Hopkins, Horace Davis, Thomas B. McFarland, George E. Gray, William M. Stewart, Joseph D. Grant, Samuel F. Leib, Leon Sloss, Thomas W. Stanford, Frank Miller, Charles G. Lathrop, Russell J. Wilson, Whitelaw Reid and George E. Crothers, petitioners herein, as Trustees of the Leland Stanford Junior University, as the survivors and successors of the Trustees named in said Founding Grant, and is held by said Trustees for the founding, endowment, maintenance and benefit of the Leland Stanford Junior University, upon and subject to the trusts hereinafter set forth.

That after the execution and delivery of said Founding Grant the said Leland Stanford and Jane Lathrop Stanford, in pursuance of the terms thereof, erected upon the Palo Alto Farm, the necessary buildings and procured the necessary libraries, laboratory supplies and other equipment and established the said Leland Stanford Junior University, and, on the 1st day of October, 1891, opened said institution for the reception and instruction of students, and thereafter and until the death of said Leland Stanford, which occured on the 21st day of June, 1893, the said Leland Stanford and Jane Lathrop Stanford managed, controlled and maintained said University, and thereafter and until the 1st day of June, 1903, the said Jane Lathrop Stanford managed, controlled and maintained said University. That the main part of the said University is situated in the said County of Santa Clara, upon a portion of the lands described in said Founding Grant.

That the following is a list of the persons who have been named and appointed to fill vacancies occuring in the Board

of Trustees of the Leland Stanford Junior University by reason of the death or resignation of the persons named as Trustees of said University in said Founding Grant or by reason of the death or resignation of persons subsequently named and appointed to fill such vacancies, and also the dates of the appointment of each person, to-wit: Horatio Stebbins, named and appointed November 12th, 1886; Samuel F. Leib, April 22, 1891; Joseph D. Grant, April 22, 1891; Leon Sloss, December 4, 1891; Edward R. Taylor, December 4, 1891; Charles G. Lathrop, November 7, 1893; Frank Miller, November 7, 1893; Thomas W. Stanford, November 7, 1893; Josiah W. Stanford, April 29, 1896; Russell J. Wilson, February 2, 1897; George E. Crothers, October 3, 1902 and Whitelaw Reid, October 3, 1902. That all said appointments made before the 21st day of June, 1893 were made by said Leland Stanford and Jane Lathrop Stanford, and all said appointments made since said 21st day of June, 1893, were made by said Jane Lathrop Stanford. That all said appointments were duly and regularly made in accordance with law and with the provisions of said Founding Grant and amendments thereof, as alleged in said petition, and were duly accepted by said persons and were and are valid and binding, and each said person so appointed, at the time of his appointment, received and became vested with and enjoyed the same rights, powers, privileges and duties as his co-trustees.

That the following Trustees of the Leland Stanford Junior University, named as such in said Founding Grant, or named or appointed as aforesaid to fill vacancies in said Board of Trustees, died on or about the dates following their respective names, to-wit: John F. Miller, March 8, 1886; William Ashburner, April 20, 1887; Henry Vrooman, April 8, 1889; Josiah Stanford, May 14, 1890; Lorenzo Sawyer, September 7, 1891; James Mc. M. Shafter, August 29, 1892; John Q. Brown, December 20, 1892; Matthew P. Deady, March 24, 1893; Alfred L. Tubbs, December 26, 1896; Charles F. Crocker, July 17, 1897; Francis E. Spencer, April 23, 1898;

Isaac S. Belcher, November 30, 1898; John Boggs, January 30, 1899; Charles Goodall, July 13, 1899; H. W. Harkness, July 10, 1901; Henry L. Dodge, February 24, 1902 and Horatio Stebbins, April 9, 1902.

That of the persons named in said Founding Grant as Trustees of the Leland Stanford Junior University, Stephen J. Field resigned as one of such Trustees on the 15th day of October, 1894, and died on the 9th day of April, 1899; Irving M. Scott resigned as one of such Trustees on the 11th day of May, 1898, and died on the 28th day of April, 1903 and N. W. Spaulding resigned as one of such Trustees on the 24th day of April, 1903; and that of the persons named and appointed to fill vacancies in said Board of Trustees, the said Josiah W. Stanford resigned as one of such Trustees on the 31st day of May, 1898, and the said Edward R. Taylor resigned as one of such Trustees on the 9th day of May, 1899. That all of the aforesaid resignations of Trustees were duly and regularly made and accepted in accordance with law and with the provisions of said Founding Grant, as alleged in said petition, and were and are legal and binding, and each of said persons so resigning ceased to be a Trustee of the Leland Stanford Junior University upon the date of his said resignation.

That the written communication dated the 29th day of April, 1896, which is described in and a copy of which is set out in said petition, in and by which the said Jane Lathrop Stanford made a proposal and offer to the Trustees of the Leland Stanford Junior University to settle and discharge the bequest of two and one-half million dollars bequeathed to said Trustees by the last will of said Leland Stanford, was duly and voluntarily made, signed and delivered to said Trustees on the date thereof, and upon the same date said proposition and offer was duly accepted by said Trustees and thereupon became and was valid and binding and the property described in said communication was thereupon delivered in accordance with the terms thereof; and upon the consummation of said settlement, the full legal

title to all the property described in said communication passed to and vested in the persons who then were the Trustees of the Leland Stanford Junior University, upon the trusts provided in said Founding Grant, and said property or the proceeds thereof and the property acquired in exchange therefor or with the proceeds thereof, so far as hereinafter described, now belongs to, and the full legal title thereto is vested in the aforesaid Trustees, petitioners herein, and is held by them for the founding, endowment, maintenance and benefit of the said Leland Stanford Junior University upon and subject to the trusts hereinafter set forth.

That the following described deeds and conveyances, which are described in and copies of which are set out in said petition, were duly and voluntarily made, signed and acknowledged by the said Jane Lathrop Stanford, and each of said deeds and each of said conveyances was duly and voluntarily made, signed and acknowledged by the said Jane Lathrop Stanford and delivered by her to the Trustees of the Leland Stanford Junior University upon the dates below stated, to-wit: The deed conveying the Stanford residence and lot in San Francisco, dated the 11th day of February, 1897 and made, signed, acknowledged and delivered on said date; the conveyance of certain contents of the Stanford homes, dated the 11th day of February, 1897, and made, signed, acknowledged and delivered on said date; the conveyance of certain bonds and other personal property, dated the 1st day of June, 1897, and made, signed, acknowledged and delivered on said date; the deed conveying certain property in San Mateo and Santa Clara Counties, dated the 17th day of January, 1899, and made, signed, acknowledged and delivered on the 27th day of January, 1899; the deed conveying certain property in Tehama County, dated the 17th day of January, 1899, and made, signed, acknowledged and delivered on the 27th day of January, 1899; the deed conveying, and confirming the previous conveyance of certain personal property and certain real properties in various counties of California, dated the 31st day of May, 1899, and made,

signed, acknowledged and delivered on said date; the deed conveying certain property in Tehama County, dated the 6th day of June, 1899, and made, signed and acknowledged on said date and delivered on or about said date; the deed conveying certain property in Lassen County, dated the 6th day of June, 1899, and made, signed and acknowledged on said date and delivered on or about said date; the deed of grant conveying and confirming the previous conveyance of the Stanford residence and lot in San Francisco, dated the 9th day of December, 1901, and made, signed, acknowledged and delivered on said date; the deed of grant conveying and confirming the previous conveyance of certain real properties in various counties of California, dated the 9th day of December, 1901, and made, signed, acknowledged and delivered on said date; the deed of gift conveying, and confirming the previous conveyance of various bonds, stocks and other properties, dated the 9th day of December, 1901, and made, signed, acknowledged and delivered on said date.

That each of the above described deeds and conveyances was duly accepted by the Trustees therein named, upon the date of the delivery thereof as above stated.

That each of the above described deeds and conveyances was, upon the execution and delivery thereof, and now is, valid and binding, and the full legal title in fee simple to all the property therein described or referred to, did, upon the delivery thereof, pass to or was confirmed in, and did vest in the Trustees therein named upon the trusts and subject to all the reservations, terms and conditions therein provided. That all the property described or referred to in each of the above described deeds and conveyances, or the proceeds of said property, and the property acquired in exchange for said property or with the proceeds thereof, so far as hereinafter described, now belongs to and the full legal title thereto is vested in the aforesaid Trustees, petitioners herein, and is held by them for the founding, endowment, maintenance and benefit of the said Leland Stanford Junior University, upon and subject to the trusts hereinafter set forth.

That the address delivered by the said Jane Lathrop Stanford to the Trustees of the Leland Stanford Junior University on the 11th day of February, 1897, a copy of which is set out in said petition, and the instrument in the form of a letter, dated the 1st day of June, 1897, a copy of which is set out in said petition, and the instrument in the form of an address dated the 31st day of May, 1899, made and delivered to the Trustees of the Leland Stanford Junior University by the said Jane Lathrop Stanford on said day, a copy of which is set forth in said petition, were not, nor was any of them, properly executed by the said Jane Lathrop Stanford so as to amend or affect the trusts established by said Founding Grant, and all the amendments proposed or suggested by said instruments were embodied in other valid and properly executed instruments.

That the instrument in the form of an address, dated the 1st day of June, 1897, described in and a copy of which is set out in said petition, was duly and voluntarily made, signed and acknowledged by the said Jane Lathrop Stanford on said 1st day of June, 1897 and was duly and voluntarily delivered by her to the Trustees of the Leland Stanford Junior University on that day; and, by virtue of the powers and privileges reserved to the said Jane Lathrop Stanford in and by the aforesaid Founding Grant and by the Act of the Legislature of the State of California under and in accordance with which said Leland Stanford Junior University was founded, the said Jane Lathrop Stanford, in and by the said instrument, duly and regularly amended the said trusts set out in and established by said Founding Grant, and all of said amendments were valid and binding and are hereinafter set forth.

That by virtue of the powers and privileges reserved to the said Jane Lathrop Stanford in and by the said Founding Grant and by the Act of the Legislature under and in accordance with which said Leland Stanford Junior University was founded, the said Jane Lathrop Stanford, in and by the aforesaid deed dated, made, signed, acknowledged and

delivered by her on the 31st day of May, 1899, duly and regularly amended the said trusts set out in and established by said Founding Grant and the amendments thereof made on the said 1st day of June, 1897, as hereinabove stated. That all of said amendments so made in and by said deed dated the 31st day of May, 1899, were valid and binding and are hereinafter set forth.

That the Instrument executed by the said Jane Lathrop Stanford in the City of New York, on the 9th day of July, 1900, a copy of which is set out in said petition, was duly and voluntarily made and executed by the said Jane Lathrop Stanford on said date and on the same day she duly and voluntarily delivered said instrument to S. F. Leib as President of the Board of Trustees of the Leland Stanford Junior University, and for and on behalf of said Trustees, and at the same time the said Jane Lathrop Stanford delivered into the manual possession and control of the said S. F. Leib as such President, and for and on behalf of said Trustees, all of the bonds described in said instrument; and the said S. F. Leib did thereupon receive and take possession of said instrument and said bonds on behalf of said Trustees; that said instrument was and is valid and binding, and upon the delivery of said instrument and of said bonds, all the right, title and interest which the said Jane Lathrop Stanford then had in or to said bonds, passed to and vested in said Trustees, and the entire legal title to all said bonds is now vested in and said bonds belong to the aforesaid Trustees, petitioners herein, and are held by them for the founding, endowment, maintenance and benefit of the said Leland Stanford Junior University upon and subject to the trusts hereinafter set forth.

That the instrument executed by Charles G. Lathrop in the name and on behalf of said Jane Lathrop Stanford, on the 23rd day of July, 1901, a copy of which is set out in said petition, was duly and regularly delivered by the said Charles G. Lathrop on the said 23rd day of July, 1901 to S. F. Leib as President of the Board of Trustees of the

Leland Stanford Junior University, and for and on behalf of said Trustees, and at the same time the said Charles G. Lathrop as the act and on behalf of the said Jane Lathrop Stanford, duly delivered into the manual possession of said S. F. Leib, as such President, and for and on behalf of said Trustees, all of the bonds described in said instrument and all of the bonds described in the aforesaid instrument executed by the said Jane Lathrop Stanford on the 9th day of July, 1900. That the execution and delivery of said instrument, dated on the 23rd day of July, 1901, and the delivery of the aforesaid bonds therewith, were duly authorized by and were the acts of said Jane Lathrop Stanford, and were legal and binding, and upon the delivery of said instrument and of said bonds, all the right, title and interest which the said Jane Lathrop Stanford then had in or to said bonds, passed to and vested in the said Trustees, and the entire legal title to all said bonds is now vested in and said bonds belong to the aforesaid Trustees, petitioners herein, and are held by them for the founding, endowment, maintenance and benefit of the said University, upon and subject to the trusts hereinafter set forth.

That on the 6th day of November, 1900, the Constitution of the State of California was duly and regularly amended by the addition of a section thereto which is designated and known as Section 10 of Article IX of said Constitution. That said constitutional amendment permitted, approved and confirmed all the trusts, estates, terms and conditions of the said Founding Grant and of all the aforesaid deeds, conveyances and other instruments which were made and delivered before said 6th day of November, 1900.

That the Trustees of the Leland Stanford Junior University were granted certain corporate powers by a certain Act of the Legislature of the State of California, approved February 14, 1901, entitled "An Act granting to the Trustees of the Leland Stanford Junior University corporate powers and privileges." That under and by virtue of said Act, the said Trustees of the Leland Stanford Junior Uni-

versity duly organized as a Board and elected such officers as they deemed necessary, and by an instrument in writing dated the 1st day of November, 1901, a copy of which is set forth in said petition, and duly made, executed and acknowledged by each and every one of said Trustees, organized said Board of Trustees and accepted and assumed all the powers and privileges granted in said act, and provided and specified the business, acts and powers which said Board and the officers thereof might transact, perform and exercise. That the said assumption of the powers and privileges granted in said Act of the Legislature, and the organization of said Trustees thereunder, were acquiesced in, consented to and approved in a writing duly and voluntarily executed, acknowledged and delivered by the said Jane Lathrop Stanford and forming part of said instrument so executed by said trustees. That upon the said acceptance and assumption of the powers and privileges granted in said Act, and the acquiesence in, consent to and approval of the same by the said Jane Lathrop Stanford, the said Trustees of the Leland Stanford Junior University became, and now is, a body corporate, with the right and power to perform in a corporate capacity all the powers and duties enjoined upon and vesting in the said Trustees; and the trusts set out in and established by the said Founding Grant and the amendments of such trusts were further amended so far as necessary to give effect to the terms of said instrument dated the 1st day of November, 1901.

That the instrument in the form of an address, dated the 3rd day of October, 1902, described in and a copy of which is set out in said petition, was duly and voluntarily made, signed and acknowledged by the said Jane Lathrop Stanford on said 3rd day of October, 1902, and was duly and voluntarily delivered by her to said Trustees of the Leland Stanford Junior University on said date; and, by virtue of the powers and privileges reserved to the said Jane Lathrop Stanford in and by the aforesaid Founding Grant and by the Act of the Legislature of the State of California under

and in accordance with which said Leland Stanford Junior University was founded, the said Jane Lathrop Stanford, in and by said instrument, duly and regularly amended the said trusts set out in and established by said Founding Grant, and the amendments thereof heretofore stated. That all of said amendments so made in and by said instrument in the form of an address, dated the 3rd day of October, 1902, were and are valid and binding and are hereinafter set forth.

That the said instrument of surrender, resignation and grant, dated the 1st day of June, 1903, described in and a copy of which is set out in said petition, was duly and voluntarily made, signed and acknowledged by the said Jane Lathrop Stanford on said 1st day of June, 1903, and duly and voluntarily delivered by her to said Trustees of the said Leland Stanford Junior University on said date, and thereupon the said Board of Trustees of the Leland Stanford Junior University duly and regularly, by resolution and in writing, accepted said instrument and accepted and assumed the powers and duties thereby devolving upon said Trustees. That in and by said instrument the said Jane Lathrop Stanford duly and regularly amended the said trusts set out in and established by said Founding Grant and the amendments of said trusts made prior to said 1st day of June, 1903; and that all the amendments so made by said instrument dated the 1st day of June, 1903, were and are valid and binding and are hereinafter set forth.

That the said instrument of surrender, resignation and grant, dated the 1st day of June, 1903, as a whole, and each and every part, provision, condition and trust thereof, was, at the time of the delivery thereof, and now is, valid and binding, and upon the delivery thereof all the right, title and interest which the said Jane Lathrop Stanford then had in or to any of the property therein described or referred to, including all the property hereinafter described, irrevocably passed to and vested in, and all said property now belongs to, the said Trustees of the Leland Stanford Junior University, petitioners herein, and is held by them for the

founding, endowment, maintenance and benefit of the said Leland Stanford Junior University upon and subject to the trusts hereinafter set forth, subject only to the right of the said Jane Lathrop Stanford to have, hold, use and enjoy during her natural life the home and premises situated on the Southwest corner of Powell and California Streets in the City and County of San Francisco, State of California, and more particularly described in subdivision "B" of the description of property hereinafter set forth, and all the furniture, household effects, paintings, pictures, books, statuary, works of art, bric-a-brac, and other effects, now contained in said home and in the home of the said Jane Lathrop Stanford situated on said Palo Alto Farm.

That upon the delivery of the said instrument of surrender, resignation and grant, dated the first day of June, 1903, all the powers, privileges and duties reserved to or vesting in said Jane Lathrop Stanford over or concerning the trusts created for the founding, endowment, maintenance or benefit of the Leland Stanford Junior University, including the right to amend or modify said trusts, and over, in or concerning the property held in trust for the founding, endowment, maintenance or benefit of said University, including all the property hereinafter described, and over, in or concerning the said University or any department therof, immediately ceased and terminated.

That every act herein found or stated to have been done or performed by the said Jane Lathrop Stanford was done or performed by her of her own free will, and at the time when each said act was done or performed the said Jane Lathrop Stanford was of sound mind and fully competent to perform said act and was not acting under duress, menace, fraud, mistake, undue influence or any other legal disability.

That all of the following described property, all of which was described in and claimed by the said Trustees, petitioners herein, in said petition, is now in the possession of and under the control of the said Timothy Hopkins, Horace Davis, Thomas B. McFarland, George E. Gray, William M. Stewart,

Joseph D. Grant, Samuel F. Leib, Leon Sloss, Thomas W. Stanford, Frank Miller, Charles G. Lathrop, Russell J. Wilson, Whitelaw Reid and George E. Crothers, as Trustees of the Leland Stanford Junior University, to-wit:

REAL PROPERTY.

A

(Property conveyed to the Board of Trustees by the Founding Grant.)

B

(San Francisco Residence Property.)

C

(Real Estate in the Counties of San Francisco, San Mateo, Santa Clara, Tehama, Napa, Contra Costra, Siskiyou, Colusa, Glenn, Madera, San Luis Obispo, San Bernardino, Alameda, Marin, State of California.)

D

(Real Estate in the County of Tehama, State of California.)

E

(Real Estate in the County of Lassen, State of California.)

F

(Real Estate in the Counties of Alameda, Yolo, Contra Costa, Santa Clara and Lassen, State of California.)

G

(Real Estate in the Counties of Santa Clara and San Mateo, State of California.)

H

(Capital Stock of Corporations.)

I

(Bonds and Certificates.)

J

(Other Personal Property.)

That all of the above described property is now owned by, and the full legal title in fee simple to all said property is vested in, the said Timothy Hopkins, Horace Davis, Thomas B. McFarland, George E. Gray, William M. Stewart, Joseph D. Grant, Samuel F. Leib, Leon Sloss, Thos. W. Stanford Frank Miller, Charles G. Lathrop, Russell J. Wilson, Whitelaw Reid and George E. Crothers, as Trustees of the Leland Stanford Junior University, and is held by them for the founding, endowment, maintenance and benefit of the said Leland Stanford Junior University upon and subject to the trusts hereinafter set forth, subject only to the right of the said Jane Lathrop Stanford to have, hold, use and enjoy during her natural life the home and premises situated on the southwest corner of Powell and California streets, in the City and County of San Francisco, State of California, and more particularly described in subdivision "B" of the foregoing description of property, and all the furniture, household effects, paintings, pictures, books, statuary, works of art, bric-a-brac and other effects now contained in said home and in the home of the said Jane Lathrop Stanford situated on said Palo Alto Farm.

That the said Jane Lathrop Stanford has no right, title or interest in, or power over, any of the above described property, either individually or as Surviving Founder of said Leland Stanford Junior University, or as widow, devisee or legatee of the said Leland Stanford, excepting as stated in the preceding paragraph.

That all of the above described property constitutes a single trust fund.

That the said Timothy Hopkins, Horace Davis, Thomas B. McFarland, George E. Gray, William M. Stewart, Joseph D. Grant, Samuel F. Leib, Leon Sloss, Thomas W. Stanford, Frank Miller, Charles G. Lathrop, Russell J. Wilson, Whitelaw Reid and George E. Crothers, petitioners herein, constitute the Board of Trustees of the Leland Stanford Junior University, and they are the survivors and successors of the Trustees named or referred to in each of the grants, deeds, conveyances and other instruments herein referred to, and

they are the Trustees of all trusts created by said grants, deeds, conveyances and other instruments, and are the Trustees of all the trusts hereinafter set forth.

That all of the trusts set forth in and created by said Founding Grant and all of the amendments and modifications of said trusts are hereinafter quoted from, and set forth in, the language of the Grant, deed, address or other instrument creating said trusts, amendments or modifications, and the said trusts as so amended are the trusts upon which all of the property herein described is held.

I.

That the following are all of the trusts set forth in and created by said Founding Grant, dated the 11th day of November, 1885, and executed and delivered by the said Leland Stanford and Jane Lathrop Stanford, to-wit:

GRANT

FOUNDING AND ENDOWING

THE LELAND STANFORD JUNIOR UNIVERSITY.

We LELAND STANFORD and JANE LATHROP STANFORD, husband and wife, grantors, desiring to promote the public welfare by founding, endowing and having maintained upon our estate known as the Palo Alto Farm, and situated in the counties of San Mateo and Santa Clara, State of California, United States of America, a University for both sexes, with the Colleges, Schools, Seminaries of Learning, Mechanical Institutes, Museums, Galleries of Art, and all other things necessary and appropriate to a University of high degree, to that end, and for that purpose, do hereby grant, bargain, sell and convey to Lorenzo Sawyer, H. W. Harkness, James McM. Shafter, Josiah Stanford, Charles Goodall, Horace Davis, Alfred L. Tubbs, John F. Miller, Francis E. Spencer, John Boggs, Henry Vrooman, T. B. McFarland, Charles F. Crocker, Isaac S. Belcher, Timothy Hopkins, John Q. Brown, Henry L. Dodge, George E.

Gray, Irving M. Scott, N. W. Spaulding, William Ashburner of California, Matthew P. Deady of Oregon, William M. Stewart of Nevada, and Stephen J. Field, a Justice of the Supreme Court of the United States, Trustees, and to their successors forever, all and singular the following described property:

That certain tract of land, situate in the County of Butte, State of California, and now commonly known and designated as Stanford's Gridley Farm.

Also that certain tract of land situated partly in the said County of Butte, and partly in the County of Tehama, in said State, and now commonly known and designated as Stanford's Vina Farm.

And also that certain tract of land situated partly in the County of Santa Clara and partly in the County of San Mateo, and now commonly known and designated as the Palo Alto Farm.

Together with all the tenements, hereditaments and appurtenances thereunto belonging, with the water rights, water ditches, pipes, flumes, canals, aqueducts and reservoirs now used in connection with either of said tracts of land: said tracts of land being more particularly described by metes and bounds in the paper hereto attached, marked "Schedule A" and made part hereof.

To have and to hold said property, and all other property, real and personal, which we, or either of us, may hereafter convey or devise to them or their successors upon the trust that it shall constitute the foundation and endowment for the University herein provided, and upon the trust that the principal thereof shall forever remain intact, and that the rents, issues and profits thereof shall be devoted to the foundation and maintenance of the University hereby founded and endowed, and to the uses and purposes herein mentioned.

Now therefore, further in pursuance of said desire, and that the trust hereby created may be executed according to the wishes of the grantors and each of them, they do hereby, as it is provided may be done by the Act of the Legislature of the State of California, approved March 9th, 1885, entitled "An

act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding and protection of property, and the creation of trusts for the founding, endowment, erection and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums and galleries of art," designate:

First.

THE NATURE, OBJECT AND PURPOSES OF THE INSTITUTION HEREBY FOUNDED, TO BE:

Its nature, that of a university with such seminaries of learning as shall make it of the highest grade, including mechanical institutes, museums, galleries of art, laboratories and conservatories, together with all things necessary for the study of agriculture in all its branches, and for mechanical training, and the studies and exercises directed to the cultivation and enlargement of the mind;

Its object, to qualify its students for personal success, and direct usefulness in life;

And its purposes, to promote the public welfare by exercising an influence in behalf of humanity and civilization, teaching the blessings of liberty regulated by law, and inculcating love and reverence for the great principles of government as derived from the inalienable rights of man to life, liberty and the pursuit of happiness.

Second.

THE NAME OF THE INSTITUTION.

Since the idea of establishing an institution of this kind for the benefit of mankind came directly and largely from our son and only child LELAND, and in the belief that had he been spared to advise us as to the disposition of our estate he would have desired the devotion of a large portion thereof to this purpose, we will that for all time to come the institution hereby founded shall bear his name, and shall be known as

THE LELAND STANFORD JUNIOR UNIVERSITY.

Third.

THE NUMBER, QUORUM AND DESIGNATION OF THE TRUSTEES.

The number of the Trustees shall be twenty-four, and fifteen thereof shall constitute a quorum, but the assent of not less than a majority of the whole, to-wit: thirteen, shall be necessary for affirmative action in the execution of the trusts herein contained.

The Trustees herein named and their successors, in their collective capacity, shall be known and designated as "The Board of Trustees of the Leland Stanford Junior University."

Fourth.

That the Trustees (subject to the reservations and to the rights to alter and amend hereinafter contained) shall have power, and it shall be their duty:

1. To meet in the City of San Francisco on the fourteenth day of November, 1885, or as soon thereafter as practicable, and then and there a majority of their number being present, to organize as a Board by electing one of their number Chairman, and to transact such other business as may be proper.

2. To manage and control the institution hereby founded.

3. To manage and control the trust property, care for and improve the same, operate or lease it and apply the net proceeds or profits thereof to the purposes of the trust hereby created.

4. To, in their discretion, receive grants of property from others in aid of the institution founded, or to establish Scholarships therein,—providing the same are made upon terms and condition in harmony with the purposes of the Institution as herein declared.

5. To receive from the grantors, or either of them, by grant or devise, such other property as the grantors or either

of them may hereafter elect to give, and to hold such property upon the same conditions and to the same uses and trusts, as are herein prescribed.

6. To make By-Laws not inconsistent with the laws of this State, or the purposes of this grant, for the government of the Institution hereby founded.

7. To make rules and regulations for the management of the trust property.

8. To keep a full and fair record of their proceedings.

9. To appoint a President of the University, who shall not be one of their number, and to remove him at will.

10. To employ professors and teachers at the University.

11. To fix the salaries of the President, professors and teachers, and to fix them at such rates as will secure to the University the services of men of the very highest attainments.

12. To use the rents, issues and profits of the trust property (but no part of the principal) in the execution of their trust, and in case such rents, issues, and profits, for any one year, exceed the amount necessary to execute the trust, and maintain the Institution for said year, then to invest the same until its use becomes necessary.

13. To establish and maintain at such University an educational system which will, if followed, fit the graduate for some useful pursuit, and to this end to cause the pupils, as early as may be, to declare the particular calling, which in life they may desire to pursue; but such declaration shall not be binding if, in the judgment of the President of the University, the student is not by nature fitted for the pursuit declared.

14. To prohibit sectarian instruction, but to have taught in the University the immortality of the soul, the existence of an all-wise and benevolent Creator, and that obedience to His laws is the highest duty of man.

15. To have taught in the University the right and advantages of association and co-operation.

16. To afford equal facilities and give equal advantages in the University to both the sexes.

17. To maintain on the Palo Alto Estate a farm for instruction in Agriculture in all its branches.

18. To do and perform all things hereinafter provided for, and all things necessary to the proper exercise and discharge of their trust.

Fifth.

THE POWERS AND DUTIES OF THE PRESIDENT OF THE UNIVERSITY.

It shall be the duty of the Trustees to give to the President of the University the following powers:

1. To prescribe the duties of the professors and teachers.

2. To remove professors and teachers at will.

3. To prescribe and enforce the course of study and the mode and manner of teaching.

4. Such other powers as will enable him to control the educational part of the University to such an extent that he may justly be held responsible for the course of study therein and for the good conduct and capacity of the professors and teachers.

Sixth.

THE FACULTY.

The Trustees shall constitute the President and professors the faculty of the University, and prescribe their powers and duties as such.

Seventh.

THE MANNER, AND TO WHOM, THE TRUSTEES SHALL REPORT.

The Board of Trustees shall annually report all their proceedings to the person who for the time being shall fill the office of Governor of the State of California, and shall accompany such report with a full account of their financial operations for the preceding year, and with a statement of the financial affairs of the Institution.

Eighth.

THE MODE AND MANNER, AND BY WHOM, THE SUCCESSORS TO THE TRUSTEES NAMED IN THE GRANT ARE TO BE APPOINTED.

Any Trustee named in this Grant, or the successor to any such Trustee, may for good cause be removed by a proper court of equity jurisdiction, after notice to him, and upon the application of the grantors herein, or either of them, or upon the application of the Board of Trustees.

Any Trustee named in this Grant or the successor of any such Trustee, may, in writing, addressed and delivered to the Board of Trustees, resign his office as Trustee, and every vacancy in the Trustees which shall occur during the lives of the grantors, or during the life of either of them, either from the failure of any Trustee named in this Grant to accept the trust, or from death, resignation or otherwise, shall be filled by the grantors, or either of them, as the case may be, and every vacancy occurring thereafter shall be filled by the surviving or remaining Trustees by ballot.

Ninth.

THE PLACE WHERE, AND THE TIME WHEN, THE BUILDINGS NECESSARY AND PROPER FOR THE INSTITUTION SHALL BE ERECTED, THE CHARACTER AND EXTENT THEREOF.

The Trustees shall:

1. Within two years from the date hereof, select and lay off on the Palo Alto Farm a site, and adopt a general plan for the construction of the University buildings. Such buildings shall be plain and substantial in character and extensive enough to provide accommodations for the University and the Colleges, Schools, Seminaries, Mechanical Institutes, Museums, Laboratories, Conservatories and Galleries of Art, part thereof. They shall be built as needed, and no faster, and in a manner which shall allow for additions and expansions from time to time, as the necessities of the University

may demand, the Trustees bearing in mind that extensive and expensive buildings do not make a University; that it depends for its success rather upon the character and attainments of its Faculty. In this behalf, and to the end that the endowment may not be wasted, or impaired, by the premature construction of expensive buildings, the Trustees shall be the exclusive judges, free from all interference from any source whatever, of the time when buildings are needed, and of the time and manner of their construction and of the time and manner of making additions thereto.

2. Lay off on the PALO ALTO FARM one or more sites for buildings for the officers and employes of the Institution, and erect and maintain thereon such buildings as may be necessary.

3. Lay off on the Palo Alto Farm one or more sites for dwelling-houses for parents or guardians and their families, and for such other persons as the Board may direct, and erect thereon buildings and lease the same, or lease the land and permit the lessees to erect such buildings, on such terms and conditions as the Board may direct.

4. Lay off on said Palo Alto Farm a lot of about ten acres, and suitably improve and maintain the same forever as a place of burial and of last rest on earth for the bodies of the grantors and of their son LELAND STANFORD JUNIOR, and as the Board may direct, for the bodies of such other persons who may have been connected with the University.

5. Lay off on the Palo Alto Farm a site for, and erect thereon a church.

Tenth.

THE SCHOLARSHIPS AND OTHER MATTERS CONNECTED THEREWITH.

The Trustees shall have power, and it shall be their duty:

1. To establish and maintain in connection with the University such a number of free Scholarships as the endow-

ment of the Institution, considering all its objects, will justify. Such scholarships must be given either to those who, by good conduct and study, have earned the right thereto, or to the deserving children of those who, dying without means in the service of the State, or in the cause of humanity, have a special claim upon the good-will of mankind.

2. To fix the terms and conditions upon which the students generally may be admitted to all or any of the privileges of the University.

3. To fix the terms and conditions upon which the students of the public and private schools and other deserving persons may attend the lectures of the University, or engage in original research thereat, and the terms and conditions upon which the agricultural farms, laboratories, museums, art galleries, mechanical institutes, conservatories and other institutions, part of the University shall be open to deserving persons, without their becoming students thereof.

4. To establish and have given at the University, by its ablest professors, courses of lectures upon the science of government, and upon Law, Medicine, Mechanics, and the other Arts, and Sciences, which shall be free to the post-graduates of the Colleges of the University hereby founded, and to the post-graduates of all other colleges and universities, and to all deserving persons, to the full capacity of the lecture-rooms, under such rules and regulations as the Trustees may adopt.

Eleventh.

ELECTION OF THE GRANTORS TO CONTROL THE PROPERTY AND THE EXECUTION OF THE TRUST DURING THEIR LIVES, OR THE LIFE OF EITHER.

The grantors, and each of them, do hereby, in accordance with the provisions of the aforesaid Act of the Legislature, elect:

1. In relation to the property hereby conveyed, and in relation to such other property as may hereafter be conveyed

or devised by them or either of them to said Trustees for the purpose of this trust, and in relation to the erection, maintenance and management of the Institution hereby founded, to perform during their lives all the duties and exercise all the powers and privileges, which, by the terms of this grant, are enjoined upon and vested in the Trustees therein named.

2. That the survivor of either of said grantors shall, after the death of the other, and during the life of the survivor, in relation to all of said property, and in relation to the erection, maintenance and management of the institution hereby founded, perform all the duties, and exercise all the powers and privileges which, by the terms of this grant are enjoined upon and vested in the Trustees therein named.

3. That upon the death of both grantors then all such duties shall devolve upon and all such powers and privileges shall be exercised by the Trustees named in this grant, and by their successors forever.

Twelfth.

RESERVATION OF THE RIGHT TO ALTER, AMEND OR MODIFY THE TERMS AND CONDITIONS OF THIS GRANT, AND THE TRUST THEREIN CREATED, IN CERTAIN RESPECTS.

The grantors hereby reserve to themselves during their lives, and hereby reserve and grant to the one who shall survive the other, during his or her life, the right to alter, amend or modify the terms and conditions of this grant, and the trusts therein created, in respect to the nature, object and purposes of the institution founded, the powers and duties of the Trustees, the manner in which, and to whom, they shall account, the mode and manner, and by whom, their successors shall be appointed, the rules and regulations for the management of the property conveyed, the time when, and the character and extent of, the buildings which shall be erected, the right to provide for trades and pro-

fessions which shall be taught in the institution, and the terms upon which scholarships shall be founded.

Thirteenth.

RESERVATION OF OTHER RIGHTS.

The grantors hereby reserve to themselves during their lives, and hereby reserve and grant to the one who shall survive the other, during his or her life.

1. The right to absolute dominion over the personal property which they, or either of them, may hereafter give to said Trustees, or their successors, and over the rents, issues and profits thereof.

2. The right to absolute dominion over the rents, issues and profits of the real property hereby granted.

3. The right to improve, manage and control the trust property, as if this grant had not been made; but this reservation does not include the right or power to sell or encumber any of the real property granted.

All these rights, and all other rights reserved by, and all powers and privileges given, or duties imposed upon, the grantors, or either of them, by the terms of this grant, shall be exercised, enjoyed and performed by said grantors or either of them, as the case may be, without let or hindrance, and free from all interference from any source whatever, and from all duty to report their action, and from all liability to account in any manner therefor, and from all liability for waste, loss, misappropriation, or for any act or deed whatever, by them or either of them done or permitted.

Fourteenth.

THE CUSTODY OF THE PERSONS OF MINORS.

And further, in pursuance of said desire, the grantors hereby provide that the Trustees named in this grant, and their successors, may, in the name of the Institution become the custodian of the persons of minors, taking such custody in the manner, and for the time, and in accordance with the

provisions of Sections 264 to 276, inclusive, of the Civil Code of the State of California.

Fifteenth.

LIMITATIONS UPON THE POWERS OF THE TRUSTEES.

1. Neither the Trustees herein named, nor their successors, shall have power to sell or convey the real property hereinbefore described and granted.

2. The Trustees herein named, and their successors, shall serve without compensation.

Sixteenth.

MISCELLANEOUS.

The grantors hereby declare:

1. That all the property hereby conveyed was acquired by them during coverture, and was, until this grant was executed, their community property, and for that reason, and because of their mutual desire to be associated in this undertaking, they in accordance with the provisions of the aforesaid Act of the Legislature have joined in this conveyance.

2. This grant, and all grants and devises hereafter made by the grantors or either of them for endowing and maintaining the Institution hereby founded, shall be liberally construed, and always with a view to effect the objects and promote the purposes of the grantors, as herein expressed.

II.

That on the 1st day of June, 1897, the foregoing trusts, set forth in and created by said Founding Grant, were duly and regularly amended by the aforesaid instrument in the form of an address, dated, executed and delivered on the 1st day of June, 1897, as follows, to-wit:

I further direct that no building be placed in the area set apart for the "Outer Quadrangle," except that it be of

stone and in general harmony with the present Quadrangle and in conformity with its plan.

I embrace this opportunity to express to you my wish in regard to certain other matters of importance connected with the future administration of the Leland Stanford Junior University.

It is desirable so far as may be that the Faculty and students should reside on the University grounds. To that end the present provisions for leasing lots should be continued, subject to such changes as future contingencies may make necessary.

I direct that professors or University officers desiring to build on the grounds shall be permitted to do so on suitable terms of lease, on condition that the houses so erected shall be attractive in exterior and that they shall not cost less than $3,000.

I also direct that student associations shall be allowed to build houses of attractive exterior, the minimum cost to be fixed at the present at $5,000.

I direct that the privilege of leasing grounds for the purpose of building on the University campus on the part of outside persons shall be limited to special cases, and no house to be built in the future by a person not connected with the University shall cost less than $6,000; and none shall be built or used for boarding-house purposes.

I reserve for myself only the right to change this plan.

I further direct that no ground shall ever be leased for a boarding-house, school or residence of any sort which shall be held for the benefit of any religious sect or denomination.

I further direct that no residences be allowed to encroach on the grounds needed for University purposes, and that none be built on the north of Alvarado Row, or between the Row and the Quadrangle, or between Roble Hall, Dr. Jordan's residence or the Museum.

I further desire that the Sigma Nu fraternity-house and if possible the residence of the bachelor professors be removed, as soon as convenient to said parties, to some point further from the athletic grounds of the University.

In the grant founding the Leland Stanford Junior University, November 14, 1885, it is made the duty of the Trustees to give the President of the University the following powers:

1. To prescribe the duties of the professors and teachers.

2. To remove professors and teachers at will.

3. To prescribe and enforce the course of study and the mode and manner of teaching.

4. Such other powers as will enable him to control the educational part of the University to such an extent that he may justly be held responsible for the good conduct and capacity of the professors and teachers.

The history of the University for the past six years has fully vindicated the wisdom of this clause in the grant. It is my wish that this clause shall be in the future as in the past respected both in word and in spirit.

I therefore explicitly direct that the selection and removal of the professors and teachers, and all questions relating thereto, shall be determined by the President and by him alone.

III.

That on the 31st day of May, 1899, the foregoing trusts set forth in and created by said Founding Grant, and the foregoing amendments thereof by the aforesaid instrument in the form of an address, dated, executed and delivered on the 1st day of June, 1897, as aforesaid, were further duly and regularly amended by the aforesaid deed dated, made, signed, acknowledged and delivered by said Jane Lathrop Stanford on the 31st day of May, 1899, as follows, to-wit:

Under and by virtue of the power and authority reserved to me by the said Act of the Legislature approved March 9th, 1885, and by the grant executed by my husband and myself bearing date the 11th day of November, A. D. 1885, I hereby make, declare and designate the following additional rules and regulations for the management of said property, and respecting the government and management of said University:

I provide that the President and Vice-President of the Board of Trustees shall be chosen annually by a majority vote of said Board, their terms of office to begin with the first day of August in each school year. This is the rule in almost all similar bodies, where there is no ex-officio President; and I now name Mr. S. F. Leib as President, and Mr. Russell J. Wilson as Vice-President for the coming year, commencing from this date.

I also desire to provide that after my death the President and Vice-President of the Board of Trustees shall exercise the usual functions of such officers, together with such duties as such, as the Board of Trustees may, from time to time, assign to them.

No vacancy occurring from any cause in the Board of Trustees shall be filled until the number of Trustees shall be reduced to fifteen. Any vacancy occurring in the Board after the number of Trustees shall be reduced to fifteen shall be filled after my death, but not before, by the Trustees, and all vacancies that may occur thereafter shall be filled by the remaining Trustees by ballot, either at the annual meeting, or at a special meeting, of which due notice shall be given, stating the vacancy to be filled; and from and after the time when the number of the Trustees shall be reduced to fifteen, that number of Trustees shall constitute the Board of Trustees of said University.

The term of office of each Trustee hereafter appointed or elected shall be ten years.

Nine Trustees shall constitute a quorum of the Board. The votes of eight Trustees shall be required for the election of a Trustee.

There shall be elected at the annual meetings a President, Vice-President, and an Executive and Finance Committee, composed of five Trustees. Their respective terms of office shall be one year, commencing upon the first day of August after their election or appointment, and continuing until their respective successors shall be elected.

The Executive and Finance Committee shall have the management and control, subject to the approval of the

Board, of the property, the finances, and the general business of the University. They shall keep a record of their proceedings, and the same shall always be open to the inspection of the Board and its members. The President, Vice-President, the Executive and Finance Committee, the Treasurer and Business Manager, and the votes of eight Trustees shall be necessary for affirmative action in the execution of the trusts herein mentioned, but for the purposes of investing and re-investing the proceeds of the trust property in the bonds of the United States, or of this State, or in other bonded securities, it shall take the affirmative votes of nine Trustees.

After my death the Board may, from time to time, at its pleasure, adopt by-laws not inconsistent with law, or the rules, regulations or orders made by the founders of the University, or either of them.

No private or public house shall be erected upon the grounds of the University as a boarding or lodging-house for students of the University, or others, except by the Trustees, and under their entire control. No house for private use shall be erected upon the grounds of the University which is of a value less than four thousand dollars.

No kindergarten or elementary school shall be established or maintained on the grounds, or in any of the buildings or rooms of the University which shall be supported in whole or in part out of the funds of the University.

No summer school shall be established or maintained at the University, or have the use of the University name, nor shall any member of the Faculty engage, or be employed as a teacher in such school, upon the grounds of the University.

The Board shall designate one day in each week when the students at the University may visit the Museum free of charge. All other persons must pay an admission fee of a quarter of a dollar for each admission, except the President and members of the Faculty and their families, and the Trustees and their families.

The Board of Trustees may, in its discretion, receive and accept all such property as any person may desire to

give to said Board or said University, for the benefit and use of the University, by grant, devise, or any other mode or means by which the title of property is transferred by or between private persons; and if such property be offered to be given, in the mode or manner aforesaid, to said Board in trust for the benefit of said University, said Board may accept and receive the same, if in the opinion of the Board the particular purpose for which it is offered to be given be not inconsistent with the purposes for which said University was founded, and if, also, the trusts declared by said donor may be executed by said Board in the same manner that the trusts declared in the grant by which said University was founded may be executed.

It is desirable that the members of the Faculty and the students should generally reside upon the grounds of the University; the Trustees are, therefore, empowered to lease to the members and officers of the Faculty and associations of students, parcels of said grounds suitable for the erection of dwelling houses, upon such terms, and for such rent as the Trustees may deem for the best interests of the University; but each of the leases shall contain conditions to the effect that a dwelling house shall be erected upon the leased premises, that its exterior shall be attractive in appearance, and cost not less than four thousand dollars.

None of the residences shall be permitted to encroach on the grounds needed for the purposes or uses of the University, or be built on the north of Alvarado Row, or between that Row and the Quadrangle, or between Roble Hall, Dr. Jordan's residence, or the Museum.

Societies or associations of students shall be permitted to build houses for the use of the members of the societies or associations respectively, but the respective houses must be of an attractive exterior, and the minimum cost to be fixed at six thousand dollars, and must not be re-leased to anyone for boarding-houses.

The selection, appointment and removal of professors and teachers, and all questions relating thereto, shall be made and determined by the President of the University.

At or about the beginning of each University year, a definite sum shall be designated as a fund for the payment of salaries; and another definite sum shall be designated for the purchase of books and supplies for the University.

The charge of registration fees for students and post-graduating students has proven by experience to be advantageous, and I direct that this shall ever be continued in the future.

There is another subject upon which I feel deeply, and I speak of it at present, because this may be my last opportunity of meeting you face to face. Whereas the University was founded in memory of our dear son Leland, and bears his name, I direct, under the power given me in the original grant, that the number of women attending the University as students shall at no time ever exceed five hundred.

The term "Trustees" wherever employed herein, may be so construed as to include the successors of said Trustees, and also the Board of Trustees.

IV.

That the said instrument dated the 1st day of November, 1901, and executed by all of the then Trustees of the Leland Stanford Junior University, and consented to and approved by said Jane Lathrop Stanford by an instrument endorsed thereon on the 28th day of March, 1902, did duly and regularly set forth and create further and additional powers in said Board of Trustees of the Leland Stanford Junior University and further and additional provisions, by-laws and rules affecting the organization of said Board of Trustees and the manner of exercising the powers and performing the duties of said Trustees, and provisions assuming corporate powers by said Trustees of the Leland Stanford Junior University; and that said provisions, by-laws and rules are valid amendments of the foregoing trusts set forth in and created by said Founding Grant and the amendments thereof hereinbefore set forth, and are as follows, to-wit:

WHEREAS, Section 10 of Article 9 of the Constitution of the State of California provides that the Legislature of

the State of California may, by a special Act, grant to the Trustees of the Leland Stanford Junior University corporate powers and privileges;

AND WHERAS, under such power and authority the Legislature did, by Act approved February 14, 1901, entitled "An act to grant to the trustees of the Leland Stanford Junior University corporate powers and privileges," found on page 4 of the Statutes of 1901, confer the right on such Trustees to exercise certain corporate powers therein specified;

NOW, THEREFORE, we, the undersigned, being all the Trustees of the Leland Stanford Junior University, do hereby, in pursuance of the said Act, organize ourselves into a Board of Trustees to be and to be known as "The Board of Trustees of the Leland Stanford Junior University."

The officers of such Board shall consist of a president, a vice-president, a secretary and a treasurer, and the present officers of the present organization of said University, known as "The Board of Trustees of the Leland Stanford Junior University," are hereby elected to the respective offices which they are now filling, until new officers shall be elected in their stead: that is to say: S. F. Leib is elected as the president of said Board of Trustees; Russell J. Wilson is elected as the vice-president thereof: H. C. Nash is elected as the secretary thereof; and Charles G. Lathrop is elected as the treasurer of the said University and of the Trustees thereof and of the said Board of Trustees.

The officers shall be elected by the Board of Trustees on the first day of August of each year, and shall hold office for one year or until their successors are chosen and qualify.

A majority of the Trustees shall constitute a quorum to do business at any meeting of the Board, but a majority of all of the Trustees of the University shall vote in favor of any motion or resolution in order to carry the same.

The said Board of Trustees may transact all business, perform all acts and exercise all powers that could otherwise

be legally transacted, performed or exercised by such Trustees, and the Board of Trustees shall have the power to authorize its officers to transact such business, as its act and on its behalf, as such Board may designate.

Such Board shall also have the power to authorize its officers to transact such business as it may designate on behalf of and as the act of the Trustees of such University.

The said Board of Trustees may adopt such By-Laws as it may consider necessary and proper.

Either the said Board of Trustees or the president of such Board may accept any property or the possession thereof given or conveyed, or to be given or conveyed to said Trustees by any grant or conveyance for the benefit of the Leland Stanford Junior University, and may accept such grant or conveyance in accordance with the provisions thereof.

Meetings of such Board can be held at any time upon notice thereof to the Trustees in the State of California being given by mail, telegraph or telephone by the secretary or president in time for them to attend the same, and at such meeting any business may be transacted; and the recital in general terms by the secretary in the minutes that such notice was given shall be sufficient evidence of the fact, without further or detailed recital concerning the same.

The Board may, by resolution or By-Law, provide for regular meetings thereof.

And the Board of Trustees hereby organized shall be deemed and shall in fact be a continuation of said Board of Trustees provided for in said grant founding said University.

V.

That the trusts set forth in and created by said Founding Grant, and amendments thereof made prior to the 3rd day of October, 1902, were upon said 3rd day of October, 1902, further duly and regularly amended by said instrument in the form of an address dated and executed, acknowledged and delivered by said Jane Lathrop Stanford, on that day, as follows, to-wit:

The Trustees being organized as a Board, with the assent of the Surviving Founder, and under and in accordance with the State Constitution and special act of the Legislature, all directions heretofore made by me as to the appointment, powers, and duties of its officers and of an executive and finance committee are withdrawn, and in lieu thereof the Board is directed to adopt by-laws providing for its officers and necessary committees and specifying their powers and duties.

The directions heretofore made requiring the Board of Trustees to maintain the stables upon the Palo Alto Farm and to maintain the vineyard at Vina, are withdrawn. As long as the vineyard at Vina produces a reasonable income, I recommend its maintenance.

I have erected the Church, Assembly Hall and Chemical Laboratory referred to in my former directions. I therefore withdraw all directions concerning their location or erection.

No rule or direction heretofore made shall prevent the application of the endowment funds of the University towards the improvement of any real estate now or hereafter held in trust for the University.

All property, real and personal, held in trust for the maintenance of the Leland Stanford Junior University, except the Palo Alto Farm and my San Francisco Residence, may be sold and conveyed and the proceeds thereof invested for the benefit of the University.

The concurrence of a majority (eight) of the Board of Trustees shall be necessary and sufficient for the sale of property, for the investment of funds, or for the transaction of any other business, irrespective of whether or not they, or any of them, shall be officers of said board or members of any committee thereof.

The Board of Trustees of the Leland Stanford Junior University, as such, or in the name of the institution, or by other intelligible designation of the trustees or of the institution may receive property, real or personal, and wherever situated, by gift, grant, devise, or bequest, for the benefit of the institution, or of any department thereof, and such

property, unless otherwise provided, shall be held by the Trustees of the Leland Stanford Junior University upon the trusts provided for in the grant founding the University, and amendments thereof, and grants, bequests, and devises supplmentary thereto, within the meaning of Article IX, Section 10, of the Constitution of the State of California.

Any directions heretofore made by me inconsistent with any of the provisions of Subdivisions 9, 10 and 11 of Article IV of the Founding Grant are withdrawn. The Board of Trustees should adopt such a plan for the nomination and appointment of professors and teachers, and the determination of their salaries, as experience of this and similar institutions may prove to be desirable. During my administration the President of the University shall continue to have the exclusive control over the appointment and dismissal of professors and teachers, as he has had heretofore.

The Board of Trustees should always avail itself of the knowledge and experience of the President of the University, who, by reason of the high and disinterested position which he holds, will be found to be a safe counsellor in all matters of University administration and in all differences and conflicting claims within and between departments.

No direction heretofore made by me shall prevent the continuance of regular or special University instruction in any and all of the University departments throughout the summer months, provided the same is authorized by the Board of Trustees and under the exclusive control of the University authorities.

In so far as necessary, or the nature of the case requires, instruction and investigation, together with suitable facilities therefor, may be maintained elsewhere than upon the Palo Alto Farm.

No direction or request heretofore made by me shall prohibit the maintenance of such elementary and other schools upon the Palo Alto Farm as may be found necessary to experimental instruction in the department of Education of the University.

The Board of Trustees shall determine whether or not any charge for tuition, or registration fee, shall be levied in any department of the University, and the amount of such charge or fee; and it may exempt residents of California from the payment of any such charge or fee.

The Board of Trustees shall determine the conditions of admission to the Museum, including the charge therefor, if any; but I believe it to be desirable that an admission fee should always be charged to the public. By experience I have learned it to be a partial protection to the valuable articles within its walls.

My Palo Alto Residence may be used as a residence for the President of the University, or for such other purposes as the Board of Trustees may determine, after my wishes are carried out as to removing certain articles from therein, to be placed in the Museum, which are mentioned in my last will and testament, or in an address heretofore made by me to the Trustees. The articles not mentioned are to remain in the home.

Boarding and lodging-houses may be erected and maintained by private parties and corporations upon Palo Alto Farm, only under express authorization of the Board of Trustees, and under its supervision and control. The same and all other buildings upon the Palo Alto Farm shall be subject to the rules of discipline of the University, and subject to the orders and control of the Board of Trustees.

No additional interments shall be made or permitted in the cemetery adjacent to the Mausoleum, and the requirement that a cemetery be maintained upon the Palo Alto Farm is hereby withdrawn.

It shall be the duty of the Board of Trustees to make general laws providing for the government of the University, and to provide for just and equitable rules of discipline.

Inasmuch as it was the paramount purpose of the Founders of the Leland Stanford Junior University to promote the public welfare by founding, endowing and having maintained a University with the colleges, schools, seminaries of learning, mechanical institutes, museums, galleries of art, and

all other things necessary and appropriate to a University of high degree, all other directions or reservations in the Founding Grant and all amendments or attempted amendments thereof by the Founders, or by the Survivor of them, shall be deemed incidental and subordinate to that paramount purpose, and the invalidity of any direction, or attempted amendment, or of anything herein contained, shall not affect the validity of any conveyances heretofore or hereafter made to the University, or to the Trustees thereof, or of the directions herein or heretofore made, as far as such directions are otherwise valid; and if any such directions or attempted amendments are found not to be legal or binding, they may, notwithstandng, be regarded as advisory or permissive so far as they shall be capable of execution.

In my former directions I have placed a minimum upon the cost of buildings to be erected upon the Palo Alto Farm. Should times and conditions so change in the future that the Board of Trustees, in their best judgment, should find that such minimum cost no longer bears the same proportion to the then condition of affairs that it does now, then they are allowed from time to time to change the amount named by me as such minimum cost; but in that case no building shall be built by a lessee except under plans first approved by such Board of Trustees.

Contracts have been made for a new and large gymnasium with a view to improving the physical condition of the students attending the University, and the college authorities should urge them to fully avail themselves of its advantages and to lead a hygienic life. In my judgment it is the duty of the University authorities to send out into the world students with good physical health as well as with good mental attainments, in order that they may successfully fight the battle of life.

Pursuant to the policy of the Founders as outlined in the Founding Grant of encouraging advanced instruction and original research, it has been determined that a more commodious library should be built, capable of affording suitable facilities and accommodations for the increasing

number of post graduate students, as well as those receiving undergraduate instruction. The inadequacy of the other collections of books in this vicinity renders an unusually large University library necessary, and the present library building can be well used for a law library and other necessary purposes. The site of such library has been selected and the plans of the interior have been approved, and its erection will probably be commenced within the coming year.

The University must be forever maintained upon a strictly non-partisan and non-sectarian basis. It must never become an instrument in the hands of any political party or any religious sect or organization. I believe that the moral and religious development of the University will be better accomplished if entirely free from all denominational alliances, however slight the bond may be. The services in the Memorial Church must be simple and informal in character, and the theological questions, services and observances, upon which the sects differ, should not be entered upon, so that members of every church may worship and receive instruction therein not inconsistent with their individual beliefs. Provision has been made whereby all those who love Our Lord Jesus Christ may partake of the Sacrament of the Lord's Supper at stated intervals in the Memorial Church. Attendance at religious services shall be entirely optional, and no profession of religious faith or belief shall be exacted of any one for any purpose.

I desire that the University shall forever be kept out of politics, and that no professor shall electioneer among or seek to dominate other professors or the students for the success of any political party or candidate in any political contest. I hope that every voter, whether professor or student, will always thoroughly inform himself upon every principle involved, and as to the merits of every candidate seeking his suffrage, and then vote according to his own best judgment and conscience, irrespective of any importunity of others. And in order to freely do this he should not be subjected to any importunity, since it is possible that cases

might arise where a mere suggestion might be understood to be a covert demand.

It has been the history of Universities that their professors rarely take the public rostrum in political campaigns. The very infrequency of their having done so would seem to prove that there is some sound reason why they should not. The reason, I think, is not far to find. When a professor speaks to a public audience, the audience is gathered together to some extent, at least, because he is a professor of a university. Whether they should do so or not, his hearers consider that he appears as a representative of the university of which he is a professor, and therefore voices its views and sentiments. It is impossible for some members of his audience, and probably impossible for most of them, to entirely disassociate the man from his position. If they go to hear him because he is a professor, they must almost necessarily assume that the views and sentiments which he expresses have a general foothold in his university; whereas such assumption may be very far from the actual fact of the case, and the public may thereby be greatly deceived. So far as he may represent himself only; so far as it is the man and not the professor that speaks to public audiences, he should have the fullest possible liberty of speech, for he but represents himself and is accountable only to himself; but when the circumstances are such that he must know that he is being deemed by his hearers, or any of them, to be speaking for his university and voicing its views, then, unless he knows that he is indeed truly and correctly voicing those views, unless he knows that he is not deceiving his hearers in that regard, or even if he thinks he is correctly stating the views of his university, yet as he has not and could not have any authority to speak for it, he should keep silent.

If the professors of this University believe the above to be the true reason why professors of other universities have nearly altogether abstained from entering upon the public rostrum in the discussion of political and other questions upon which public feeling runs high and upon

which the public is itself divided, then I indulge in the hope that they will follow their example.

The University was not made independent of State control because of any purpose of the founders inconsistent with its character as a State Institution, but because they believed that its purposes could be better and more surely accomplished through a Board of Trustees free from possible political or partisan influence, and independent of all external control save that of Courts of Equity. Notwithstanding their creation of the University as an independent institution, it was the wish and purpose of the Founders that it should be kept, as far as practicable, in harmony with the public educational system, and that, in the matter of entrance requirements as well as in every other relation of the University with the general public, the University authorities should take into consideration the welfare of those who do not attend the University as well as those who do, and adopt the policy which, in their judgment, is in accord with the spirit of the foundation, as above defined. Without necessarily lowering the standard of regular admission to the University, concessions may be made in admission upon partial or special standing, or otherwise, in favor of students coming from high schools which cannot afford to maintain a separate course of study for the benefit of the small minority of high school students who go to universities, but offer a reasonable number of practical studies for the preparation of their students for an immediate entry into the active walks of life. So long as the public maintains an efficient high school system, the education given by the University to a student should commence where that given to him by the high school ends; and there should be no gap in his necessary education between where the high school ends and the University begins and which omitted part of his education could only be supplied by private schools—the latter not being generally accessible to the students of limited means. The University authorities are, however, the sole judges of the qualifications of applicants for admission to any department of the institution.

The University has been endowed with a view of offering instruction free, or nearly free, that it may resist the tendency to the stratification of society, by keeping open an avenue whereby the deserving and exceptional may rise through their own efforts from the lowest to the highest stations in life. A spirit of equality must accordingly be maintained within the University. To this end it shall be the duty of the University authorities to prohibit excessive expenditures and other excesses on the part of students, and the formation or growth of any organization, custom or social function that tends to the development of exclusive or undemocratic castes within the University, and to exclude from the institution any one whose conduct is inconsistent with the spirit of the foundation.

While its chief object is the instruction of students with a view to producing leaders and educators in every field of science and industry, the University was also designed "to advance learning, the arts and sciences;" and to this end the institution should assist, by experimentation and research, in the advancement of useful knowledge and in the dissemination and practical application of the same.

The Founding Grant provides that the Trustees shall establish and maintain at the University an educational system which will, if followed, fit the graduate for some useful pursuit, and to this end, cause the pupils, as early as may be, to declare the particular calling which they may desire to pursue. The purpose of this requirement is not only to assure the practical character of the instruction, and to prevent such instruction as will not tend directly "to qualify students for personal success and direct usefulness in life," but to protect the University from the cost of instructing and from the baneful influence of a class, bound to infest the institution as the country grows older, who wish to acquire a University degree or fashionable educational veneer for the mere ornamentation of idle and purposeless lives.

The moving spirit of the Founders in the foundation and endowment of the Leland Stanford Junior University was

love of humanity and a desire to render the greatest possible service to mankind. The University was accordingly designed for the betterment of mankind morally, spiritually, intellectually, physically and materially. The public at large, and not alone the comparatively few students who can attend the University, are the chief and ultimate beneficiaries of the foundation. While the instruction offered must be such as will qualify the students for personal success and direct usefulness in life, they should understand that it is offered in the hope and trust that they will become thereby of greater service to the public.

As stated in the letter to the Trustees, accompanying the Founding Grant, "the object is not alone to give the student a technical education, fitting him for a successful business life, but it is also to instill into his mind an appreciation of the blessings of this Government, a reverence for its institutions, and a love of God and humanity, to the end that he may go forth and by precept and example spread the great truths by the light of which his fellow men will be elevated and taught how to obtain happiness in this world, and in the life eternal."

VI.

That the trusts set forth in and created by said Founding Grant and amendments thereof made prior to the 1st day of June, 1903, were upon said 1st day of June, 1903, further duly and regularly amended by said surrender, resignation and grant dated and executed, acknowledged and delivered by said Jane Lathrop Stanford, on that day, as follows, to-wit:

NOW, THEREFORE, I, JANE LATHROP STANFORD, do hereby resign, relinquish and surrender all the rights, powers, privileges and duties reserved to, devolving upon, or vesting in me, by reason of the aforesaid conditions and reservations of said Founding Grant or by reason of the same or any similar or other conditions or reservations contained in, or attaching by inference or operation of law to, any other grant or instrument granting or giving property

in trust for the founding, maintenance or benefit of said University, or contained in, or attaching by inference or operation of law to, any other instrument affecting the trusts created for the founding, endowment, maintenance or benefit of said University.

AND FURTHERMORE, I hereby resign, relinquish and surrender all the rights, powers, privileges and duties reserved to, devolving upon, or vesting in me as widow of the said Leland Stanford or as Surviving Founder of the said Leland Stanford Junior University, over, in, or concerning all of the property of every kind now held or hereafter given or granted in trust for the founding, endowment, maintenance, equipment or benefit of the said University or of any department thereof, and also over, in or concerning the Leland Stanford Junior University and every part and department thereof; and I hereby resign, relinquish and surrender all the rights, powers and privileges given to or vesting in me, over, in or concerning any of such property and over, in and concerning said University, under or by virtue of any authorization or Power of Attorney executed by or on behalf of said Board of Trustees, and particularly under or by virtue of a certain resolution passed by said Board on the 31st day of May, 1899, and a certain Power of Attorney executed on the same date in the name of said Board of Trustees, in pursuance of said resolution, and I hereby consent to the revocation of all such resolutions and Powers of Attorney.

And I do hereby authorize, direct and empower the said Leon Sloss, Charles G. Lathrop, Russell J. Wilson, S. F. Leib, Timothy Hopkins, Joseph D. Grant, Horace Davis, T. B. McFarland, Frank Miller, George E. Gray and George E. Crothers of California, William M. Stewart of Nevada, Thomas W. Stanford of Australia, and Whitelaw Reid of New York, now constituting and comprising the Board of Trustees of the Leland Stanford Junior University, and their successors, to at once assume and forever exercise and perform all the rights, powers, privileges and duties which

would otherwise devolve upon or vest in them upon my death, over, in, or concerning all of the property of every kind now held or hereafter given or granted in trust for the founding, endowment, maintenance, equipment or benefit of the said University or any department thereof, and all the rights, powers, privileges and duties which would otherwise devolve upon or vest in them upon my death, over, in, or concerning the said Leland Stanford Junior University and every part and department thereof, and I do hereby give, grant, relinquish and surrender all such rights, powers, privileges and duties to the said Trustees and to their successors forever, and all said rights, powers, privileges and duties shall be exercised and performed by the said Trustees to the same extent that, and in the same manner as it is provided that they shall be exercised and performed after my death; and I do hereby give, grant, assign and surrender to the said Trustees and to their successors forever, in trust for the benefit of the Leland Stanford Junior University, all the right, title and interest which I may now have, by operation of law or otherwise, in or to any and all of the property of every kind now held in trust for the founding, endowment, maintenance, equipment or benefit of the said University or any department thereof.

That the foregoing are all of the Trusts set forth in and created by said Founding Grant and all of the amendments and modifications of said Trusts, and are the Trusts permitted, approved and confirmed by the aforesaid Section 10 of Article IX of the Constitution of the State of California, and are all of the trusts provided for in the grant founding said University, and amendments thereof, and grants, bequests and devises supplementary thereto, within the meaning of said Section 10 of said Constitution.

That all of the foregoing trusts and amendments were created under and in accordance with that certain Act of the Legislature of the State of California, approved March 9, 1885, entitled, "An act to advance learning, the arts and sciences, and to promote the public welfare, by providing for the conveyance, holding, and protection of property, and

the creation of trusts for the founding, endowment, erection and maintenance within this State of universities, colleges, schools, seminaries of learning, mechanical institutes, museums, and galleries of art," and shall be construed in accordance with the provisions of said Act so far as rules of construction are therein stated.

That so far as any of the foregoing trusts and amendments are inconsistent or in conflict with each other the later in date or in order supersede the earlier.

That all of the rights, powers, privileges and duties, over, in or concerning all property held in trust for the founding, endowment, maintenance or benefit of said Leland Stanford Junior University, including all of the property herein described, and over, in or concerning the said Leland Stanford Junior University or any department thereof, which it was provided in the aforesaid grants, deeds, conveyances and other instruments, copies of which are set out in said petition, or in any other instruments, should vest in and devolve upon the Trustees of the Leland Stanford Junior University upon the death of the said Jane Lathrop Stanford, are now vested in and have devolved upon the aforesaid Trustees, petitioners herein.

It was the paramount purpose of the Founders of the Leland Stanford Junior University to promote the public welfare by founding, endowing and having maintained a University with the colleges, schools, seminaries of learning, mechanical institutes, museums, galleries of art, and all other things necessary and appropriate to a University of high degree, and all directions or reservations in the Founding Grant and all amendments or attempted amendments thereof by the Founders, or by the Survivor of them, are incidental and subordinate to that paramount purpose.

That the number of Trustees constituting said Board of Trustees of the Leland Stanford Junior University has been changed to fifteen, and that number does now and shall hereafter constitute a full Board of said Trustees.

That there is now one vacancy in said Board of Trustees caused by the resignation of said N. W. Spaulding.

That the term of office as a Trustee of the Leland Stanford Junior University of each of the said Timothy Hopkins, Horace Davis, Thomas B. McFarland, George E. Gray, William M. Stewart, Joseph D. Grant, Samuel F. Leib, Leon Sloss, Thomas W. Stanford, Frank Miller, Charles G. Lathrop, and Russell J. Wilson, is for life; and that the term of office of the said Whitelaw Reid and George E. Crothers, as such Trustees, is ten years from and after the date of their appointment and election; and that the term of office, as a Trustee of the Leland Stanford Junior University, of each person hereafter elected as such trustee shall be ten years from and after the date of election of such person.

That a majority of the Trustees of the Leland Stanford Junior University shall constitute a quorum and the concurrence of a majority (eight) of the Board of Trustees shall be necessary and sufficient for the sale of property, for the investment of funds, or for the transaction of any other business, irrespective of whether or not they, or any of them, shall be officers of said board or members of any committee thereof.

That the said Trustees of the said Leland Stanford Junior University have the power to and may perform and exercise all of their powers and duties in a corporate capacity.

That the said Trustees of the Leland Stanford Junior University may exercise and perform all their powers and duties in the same manner and to the same extent as though the aforesaid act of the Legislature, granting corporate powers and privileges had not been passed and corporate powers and privileges had not been assumed thereunder.

This judgment shall not affect any right or interest of any lessee, his heirs or assigns, under or by virtue of any lease heretofore made to any such lessee of any lot or parcel of land or building or other improvement situate and being upon, or part of, the aforesaid Palo Alto Farm.

That upon the death of the said Jane Lathrop Stanford, the aforesaid home and premises situated on the southwest corner of Powell and California Streets, in the said City and County of San Francisco, and more particularly described

in subdivision "B" of the foregoing description of property, shall be used for educational purposes in connection with or as a department of said Leland Stanford Junior University, but the same shall never be appropriated for the use of a club-house, a boarding-house or place of undignified amusement.

M. H. HYLAND,
Judge.

San Jose, July 3d, 1903.

(Endorsed):

Filed
Jul. 6, 1903,
9:30 a. m.
Henry A. Pfister, Clerk.
By A. C. Russ,
Deputy.

Entered July 22nd, 1903.
Henry A. Pfister, Clerk.
By J. M. Chilue,
Deputy.

PART IV.

SUPPLEMENTARY DECREE

September 27, 1907

No. 14,912 Department 2

IN THE

Superior Court

OF THE

State of California in and for the County of Santa Clara

In the Matter of the Application of

The Board of Trustees of the Leland Stanford Junior University and of Timothy Hopkins, et al., as Trustees of the Leland Stanford Junior University for aid and instruction from the Court.

Supplementary Decree

WILSON & WILSON

Attorneys at Law

Union Trust Building, San Francisco, Cal.

In the Superior Court of the State of California, in and for the County of Santa Clara

In the Matter of the Application of
THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY
and of
Timothy Hopkins, Horace Davis, Thomas B. McFarland, George E. Gray, Joseph D. Grant, Samuel F. Leib, Leon Sloss, Thomas W. Stanford, Frank Miller, Charles G. Lathrop, Whitelaw Reid, George E. Crothers, William Babcock, Charles P. Eells, and Vanderlynn Stow, as Trustees of the Leland Stanford Junior University, for aid and instruction from the Court.

No. 14,912
Dept. No. 2

Supplementary Decree

The Board of Trustees of the Leland Stanford Junior University, and Timothy Hopkins, Horace Davis, Thomas B. McFarland, George E. Gray, Joseph D. Grant, Samuel F. Leib, Leon Sloss, Thomas W. Stanford, Frank Miller, Charles G. Lathrop, Whitelaw Reid, George E. Crothers, William Babcock, Charles P. Eells and Vanderlynn Stow, as Trustees of the Leland Stanford Junior University, having on the 20th day of September, 1907, filed in this Court a supplementary petition asking the aid and instruction of this Court in construing their power to invest the trust funds in their hands in loans upon

the security of real estate or other satisfactory security, and in the purchase of real estate, and as to investing a portion of said funds in improvements on real estate, and as to their power to sell or lease the lot of land on the southwesterly corner of California and Powell Streets in the City and County of San Francisco, State of California, and for such other and further or different relief and aid and instruction in regard to investing said trust funds and in regard to their power and duties, as may be proper and just in the premises, and the Court, by its order duly made and filed on the 20th day of September, 1907, having set said petition for hearing on Friday, the 27th day of September, 1907, at the hour of ten o'clock A. M. of said day in the Courtroom of Department Number Two of the Superior Court of the State of California, in and for the County of Santa Clara, in the Courthouse in the City of San Jose, and having by said order directed that the Clerk give notice of said hearing by posting notices thereof in the manner provided by law at least five days before said hearing:

Now, on this 27th day of September, 1907, said petition coming on regularly to be heard at the time and place fixed by said order, and due proof being made to the satisfaction of the Court and filed herein that notice of this hearing was duly given by posting as required by said order and according to law, and it appearing that the Court has jurisdiction to hear and determine the matters set forth in said petition, and all of the petitioners herein appearing by Wilson & Wilson, their attorneys, and no other person or persons appearing and no contest or other opposition or objection to the said petition being made or filed by any person whatever, the Court thereupon proceeded to hear said petition and the evidence thereon, and petitioners Samuel F. Leib, Charles G. Lathrop, George E. Crothers and Timothy Hopkins, Trustees, being sworn and examined in open Court, and other evidence, oral and documentary, being introduced and heard relative to and in support of the allegations of said petition, and the matters being submitted, after due presentation, for the decision of the Court, and the Court being fully advised, it is now, on motion of

Counsel for petitioners, ORDERED, ADJUDGED and DECREED as follows, to-wit:

1. That this Court has full jurisdiction in this proceeding to hear this petition and to determine all matters set forth therein and to grant the relief prayed for.

2. That all the allegations of said petition are true.

3. That the petitioners Timothy Hopkins, Horace Davis, Thomas B. McFarland, George E. Gray, Joseph D. Grant, Samuel F. Leib, Leon Sloss, Thomas W. Stanford, Frank Miller, Charles G. Lathrop, Whitelaw Reid, George E. Crothers, William Babcock, Charles P. Eells and Vanderlynn Stow are all of the Trustees of the Leland Stanford Junior University and do now constitute the entire Board of Trustees of said University, and that the legal title in fee simple to all of the properties referred to in said petition is now vested in said Trustees, petitioners herein, and that they hold, manage and control all of said properties for the founding, endowment, maintenance and benefit of the said Leland Stanford Junior University upon and subject to the trusts in the said petition set forth and referred to; and that all of the properties so held in trust constitute a single trust fund.

4. That the trusts set forth in said petition constitute a public benefaction with no specially designated beneficiaries and with no persons legally or directly interested in its management other than the People of the State of California.

5. That under said trusts it is a part of the duties of said Trustees and their successors to invest and re-invest the trust funds in their hands for the benefit of said University and that it is at times difficult and at other times impossible to invest the funds of said University in satisfactory bonds or bonded securities yielding a satisfactory rate of interest, and that the said Board of Trustees now has in its possession large sums of money which are bringing in practically no income to the said University because of the said Trustees being unable to invest the same in safe bonds or bonded securities yielding a satisfactory rate of interest.

6. That there is now a great demand, particularly in the City and County of San Francisco, State of California, for money to be used in the construction of buildings, and that large sums of money can be loaned with perfect safety upon the security of real estate in the said City and County of San Francisco, and elsewhere, or upon other satisfactory security, so as to produce a rate of interest in excess of that derived from bonds or bonded securities.

7. That the Board of Trustees and their successors may not always be able to make desirable loans of all the uninvested funds in their hands or to purchase desirable and safe bonds with said trust funds, owing to changing financial conditions and the large amounts of money which they have from time to time in their possession, and that it is desirable to invest a portion of such funds in real estate and to improve the same; that a portion of said funds can be so invested as to bring a satisfactory income to the said University.

8. That at the time of the execution of the different instruments creating said trust, the home and premises mentioned therein on the southwesterly corner of California and Powell Streets in the City and County of San Francisco, State of California, consisted of a lot of land fronting two hundred and six feet and three inches on the southerly line of California Street, two hundred and seventy-five feet on the westerly line of Powell Street and two hundred and six feet and three inches on the northerly line of Pine Street, with a large and richly furnished dwelling house thereon which was and had been the home of Leland Stanford and Jane Lathrop Stanford and, because of the fact that said building had been the home of herself and her said husband Leland Stanford, said Jane Lathrop Stanford directed that the said home and premises should not be sold after her death, but that the same should be used for educational purposes in connection with or as a department of said Leland Stanford Junior University and that the same should never be appropriated for the use of a club house, boarding house or place of undignified amusement.

That said Jane Lathrop Stanford departed this life on the 28th day of February, 1905.

9. That on or about the 19th day of April, 1906, the said building and home on said lot of land was destroyed by fire and the said lot of land is now vacant and unproductive.

That by reason of said destruction of said building and home an exact and literal compliance with the directions of said Jane Lathrop Stanford in reference thereto is impossible and that her intention in regard thereto cannot be carried out; and that the result which the said Jane L. Stanford evidently desired to avoid at the time of making said restriction to-wit: the use of her family residence and home for undignified purposes, cannot now happen and, therefore, the reason for making said restrictions no longer exists.

That said lot of land is situated in a very hilly portion of the said City and County of San Francisco, and cannot well be utilized for the purposes of said University or for any benevolent purpose without the expenditure of a large sum of money and that the same probably would, if so utilized, thereafter be a source of great expense to said Trustees.

That owing to its location practically the only way said lot of land can be made to produce an income is for said Trustees to erect thereon a large hotel, apartment or club house, which it is not now and may never be advisable or expedient for them to undertake.

10. That it would be for the best interests of said trust and said University to invest a portion of the funds in their hands in loans on the security of real estate or upon other satisfactory security; and to invest a portion thereof in real estate and improvements on the same, and to lease or sell said lot of land on the southwest corner of California and Powell Streets in said City and County of San Francisco, if a satisfactory price can be obtained therefor, and re-invest the proceeds of such sale so as to produce an income therefrom.

11. That said Board of Trustees and said Trustees and their successors have the power, under the trusts under which

they hold, manage and control said trust properties, to invest any portion of said trust funds in loans upon the security of real estate or upon any other security satisfactory to them; and that they have the power to invest any portion of said trust funds in the purchase of real estate and the power to invest any portion of said trust funds in the purchase of improvements on real estate or in the erection of improvements on real estate.

12. That said Board of Trustees and said Trustees and their successors have the power under said trusts, to lease said lot of land at the southwesterly corner of California and Powell Streets in the City and County of San Francisco, State of California, said lot fronting two hundred and six feet and three inches on the southerly line of California Street, two hundred and seventy-five feet on the westerly line of Powell Street and two hundred and six feet and three inches on the northerly line of Pine Street, and formerly containing the residence of the said Jane Lathrop Stanford and the said Leland Stanford, for such time and times and for such purposes and on such terms as to them may seem advisable; and have the power also to sell and convey said lot of land at such price and on such terms as to them may seem advantageous, and to transfer the proceeds of such sale, if made, to the general trust fund of said University.

M. H. HYLAND,
Judge.

Done in open Court, this 27th day of September, A. D. 1907.

(Endorsed):

Filed

Sept. 27, 1907.

Henry A. Pfister, Clerk.

By R. K. O'Neil, Deputy.

PART V.

ARTICLES OF ORGANIZATION OF THE FACULTY

ARTICLES

OF

ORGANIZATION OF THE FACULTY

OF

THE LELAND STANFORD JUNIOR UNIVERSITY.

AS ADOPTED MARCH THIRTY-FIRST
NINETEEN HUNDRED AND FOUR.

CHAPTER I.

Section 1. All Statutes, By-Laws and Regulations are subject to the University Trusts and the powers and duties vested in the Board of Trustees and the President of the University.

Sec. 2. The following Articles of Organization are subject to amendment or repeal by the Board of Trustees.

CHAPTER II.

The President.

Section 1. The responsibilities and duties of the President are set forth in the University Trusts and as herein provided.

Sec. 2. The President shall be the executive officer of the Faculty of the University.

Sec. 3. He shall be primarily responsible for the enforcement of discipline in the University.

Sec. 4. He shall be ex-officio Chairman of the Academic Council and of the Executive Committee of the Academic Council.

Sec. 5. He shall be ex-officio head of the faculty or faculties of any schools which may hereafter be organized by the Board of Trustees.

Sec. 6. He shall be the official medium of communication between the teaching force of the University and the Board of Trustees, and between the students of the University and the Board of Trustees.

Sec. 7. He shall designate a full professor in each department to act as executive head of the Department Faculty, such executive head to hold office at the will of the President, both appointments and removals of heads of Department Faculties to be made after consultation with the Advisory Board and with the approval of the Board of Trustees.

Sec. 8. He shall, subject to the approval of the Advisory Board, appoint the standing committees hereinafter designated as Administrative, and shall name the chairman of such committees.

CHAPTER III.

Vice-President or Acting President.

Section 1. In the absence of the President or in case of his inability to act, a Vice-President or Acting President, to be appointed by the Trustees, shall perform his functions.

CHAPTER IV.

The Academic Council.

Section 1. The power and authority of the whole University Faculty is vested in the Academic Council.

Sec. 2. It consists of the President of the University, all Professors and Associate Professors, the Librarian, the Registrar, such Assistant Professors as have been upon the roll of the Faculty for three years, whether as Assistant Professors or Instructors, and such other officers of the University or members of the teaching staff as the Academic Council may, with the assent of the Board of Trustees, determine.

Sec. 3. The Academic Council is vested with all of the powers and duties usually vested in the faculties of similar institutions to discuss and decide upon all matters of internal policy, except as herein otherwise provided. It has general power and responsibility for the internal administration of the University, subject to express provisions herein contained respecting the methods of exercising such powers through the agency of its Chairman and Committees, the Department Faculties or the Advisory Board.

Sec. 4. The Council shall recommend to the Trustees candidates for graduation.

Sec. 5. It shall have power to instruct the Standing Committees as to general policy or general regulations. Appeals from the action of the Academic Committees in special or individual cases, under such general regulations or policy, shall be to the Executive Committee of the Council. Appeals from the action of the Administrative Committees in special or individual cases shall be to the President.

Sec. 6. Subject to the powers and duties vesting in the Trustees, all general University regulations, statutes and rules as to the matters within the province of the Faculty, shall be initiated in and passed by the Academic Council, and shall be in force, subject to the power of disapproval in the Trustees, excepting that no regulation, statute, or rule involving a change in the educational policy of the University in respect to the requirements of admission, the course of study, or the conditions of graduation, shall take effect as above until the same shall have been submitted to the Trustees.

The advisability of considering any proposed legislation may be informally suggested to the Council in general terms by the President of the University or by the Board of Trustees.

Sec. 7. All Committees and Department Faculties may be instructed in their duties by the Council, and may be called upon to report their action to it.

Sec. 8. The Academic Council may adopt By-Laws and Rules of Order providing for its organization and the orderly conduct of its affairs.

Sec. 9. A majority of its members shall constitute a quorum of the Academic Council.

CHAPTER V.

The Advisory Board.

Section 1.

(a) The Advisory Board shall consist of nine members of the rank of Professor, one from each of the five department groups, as enumerated below, and four chosen without reference to groups.

(b) The existing departments of the University shall be divided into the following groups:

1. English, Germanic Languages, Latin, Greek, Romanic Languages.

2. Zoology, Physiology, Hygiene, Entomology, Botany, Geology.

3. Mathematics, Physics, Chemistry, Psychology.

4. Law, History, Economics, Education, Philosophy.

5. Engineering, Applied Mathematics, Drawing.

(c) New departments which may hereafter be created shall be assigned to one of the above groups by the President upon the advice of the Advisory Board, and subject to the approval of the Board of Trustees.

Sec. 2.

(a) Elections shall be by sealed ballot, without nomination.

(b) The Council shall, on the first Wednesday in May, 1904, first elect five members, one from each department group, and thereafter four members without reference to groups.

(c) Each member of the Council voting shall, at each ballot, vote for as many candidates as are to be chosen.

(d) At each ballot those receiving the highest number of votes shall be declared elected, provided that each shall have received a majority of all votes cast.

(e) In case of non-election on the first ballot, balloting shall be continued until an election is made.

Sec. 3.

(a) The term of office shall be three years.

(b) It shall be determined by lot who of those chosen at the first election shall hold for one, two or three years.

(c) Vacancies by expiration of term shall be filled by the Council by election on the first Wednesday in May of each year at a meeting of which due notice has been given.

(d) Vacancies caused by other reasons shall be filled for the unexpired term by election at a regular meeting or at a special meeting of the Council called for the purpose.

(e) In all cases election shall be by sealed ballot, without nomination, and group representatives shall be elected first.

(f) The Registrar shall furnish each member of the Council in advance with a list of eligible candidates, arranged alphabetically by department groups.

(g) Six members of the Advisory Board shall constitute a quorum.

Sec. 4.

(a) The Advisory Board shall advise the President concerning any matters which he may choose to refer to it.

(b) All executive acts of general importance such as recommendations for appointments, promotions and dismissals, for the creation of new departments or chairs, and for the abolition of departments or chairs, shall be submitted by the President to the Advisory Board for approval before they shall become operative, or before they may be submitted to the Trustees for their action, when such action is necessary.

(c) The President may submit those matters to the Advisory Board orally or in writing as he may see fit, but action thereon shall be taken in executive session.

(d) In all cases, in presenting such matters to the Board of Trustees, the President shall state whether or not they have the approval of the Advisory Board.

(e) The Advisory Board shall be privileged to make such recommendations to the President, regarding policy, as it may decide by vote to be expedient, but no recommendations for appointments, promotions, or dismissals shall originate with the Advisory Board.

(f) The Advisory Board shall elect by ballot a chairman and a Secretary from its own members.

(g) It may, by a vote of two-thirds of its members, appeal to the Trustees any differences between the President and itself.

(h) The Advisory Board shall have the power to convene the Academic Council at any time.

(i) It shall keep systematic records of its proceedings, which shall be accessible to the President.

(j) The Advisory Board may at any time be called together by its chairman or by the President of the University.

CHAPTER VI.

Committees.

Section 1. There shall be standing committees, grouped as follows:

(a) Administrative—

1. Student Affairs
2. Athletics.
3. Public Exercises.
4. Literary Contests
5. Public Health.
6. Delinquent Scholarship

(b) Academic—

1. The Executive Committee of the Council
2. Admission and Advanced Standing
3. Registration.
4. Graduation.
5. Schedule and Examinations
6. Graduate Study
7. Library
8. University Publications.

(c) And such other standing or special committees as the Academic Council may from time to time create.

(d) All standing committees shall consist of five members unless otherwise provided by the Academic Council.

Sec. 2. Method of Appointment.

(a) Standing Administrative Committees shall be appointed by the President as provided above.

(b) 1. The Executive Committee of the Council shall consist of the President, Vice-President or Acting President, Registrar and ten other members, two from each department group.

2. These ten members shall be elected by the Academic Council at the same meeting at which the members of the Advisory Board are elected.

3. It shall be determined by lot which of the two members from each group elected in 1904 shall serve for two years and which for one year.

4. Thereafter one member shall be elected annually from each department group.

5. Vacancies caused by other reasons than expiration of term shall be filled for the unexpired term by election at a regular meeting or at a special meeting of the Council called for the purpose.

6. In all cases, election shall be by sealed ballot, without nomination.

(c) 1. The other standing academic committees shall be appointed annually in May of each year by the Executive Committee.

2. Their duties shall be defined by the Executive Committee, subject to the approval of the Council.

Sec. 3. Functions of the Various Committees.

(a) Standing Administrative Committees:

1. Student Affairs: The Committee on Student Affairs has to do with the conduct of the students as members of the University Community.

2. Athletics: The Committee on Athletics has to do with the supervision of athletic sports within the University and in intercollegiate events.

3. Public Exercises: The Committee on Public Exercises has to do with public University exercises, lectures, assemblies, etc.

4. Literary Contests: The Committee on Literary Contests acts as an advisory committee having to do with intercollegiate or other public literary contests.

5. Public Health: The Committee on Public Health considers matters pertaining to the health of the University community in consultation with the properly constituted authorities.

6. Delinquent Scholarship: The Committee on Delinquent Scholarship has to do with the status of students in the University so far as their scholarship is concerned.

(b) Standing Academic Committees:

1. a. The Executive Committee shall appoint the Academic Committees of the Council.

b. All members of the Academic Council shall be eligible for appointment to any committee.

c. Appeals from the action of the Academic Committees shall be to the Executive Committee.

d. The other committees of the Council shall submit any change of policy or general regulations or any new measures or general regulations to the Executive Committee for approval.

e. The Executive Committee shall formulate the duties and control the policy of the several committees.

f. It shall be subject to instruction by the Council on matters concerning general policy or regulations, but its decisions in special or individual cases shall not be subject to revision by the Council.

g. It shall have power to recommend the creation of new academic committees but may not create them without authority of the Council.

h. It shall have power to call meetings of the Council at any time.

i. It shall have the right to consider inter-departmental difficulties and shall report its decisions to the President of the University.

j. It shall keep systematic records of its proceedings, which shall be accessible to the members of the Council.

2. Admission and Advanced Standing: The Committee on Admission and Advanced Standing administers, in conjunction with the Registrar, the regulations of the University regarding admission of students to the University.

3. Registration: The Committee on Registration administers the statutes regarding registration, conditions and failures, irregular hours and changes in study lists, granting of leaves of absence and letters of honorable dismissal.

4. Graduation: The Committee on Graduation determines whether candidates have completed all requirements

for the A. B. degree and passes upon the qualifications for admission to candidacy for advanced degrees.

5. Schedule and Examinations: The Committee on Schedule and Examinations regulates the co-ordination of the schedule of lectures, recitations and examinations.

6. Graduate Study: The Committee on Graduate Study determines, in the case of candidates for all advanced degrees, whether the requirements laid down by the Academic Council have been met.

7. Library: The Committee on the Library represents the Council in relation to the administration of the Library.

8. University Publications: The Committe on University Publications has to do with the publication of all literary or scientific works which may be published by the University.

(c) Special Committees:

The Academic Council may, from time to time, elect or provide for the appointment of special committees, and may assign the consideration of any matter within its jurisdiction to any such committee.

CHAPTER VII.

The Department Faculties.

Section 1.

(a) The Department Faculties shall consist of the Professors, Associate Professors, Assistant Professors and Instructors in the several departments, but only those members who are members of the Academic Council shall have the right to vote.

(b) The executive head of a Department Faculty shall preside at the meetings of the Faculty and shall act as the representative of the department in its official relations with the President, the Academic Council, and the other Departments.

(c) He shall sign all requisitions for supplies and equipment required by the Department.

Sec. 2.

A Department Faculty shall have direction of the work of instruction in the department and of the internal administration of the department, subject only to such control as is vested in the Board of Trustees, the President of the University or the Academic Council.

Sec. 3.

(a) All matters of internal administration in the department shall be decided in conference or, if necessary, by vote of those members of the Department Faculty who are members of the Academic Council.

(b) In case the Executive Head of the Department shall fail to concur in the decision of the Department Faculty, he shall report in writing the action of the Department Faculty:

(1.) In administrative matters to the Advisory Board, or:

(2.) In academic matters to the Executive Committee of the Academic Council, (with a written statement of his reasons for non-concurrence, and the other members of the Department Faculty may, at will, make a written statement of their position).

(c) Any member of the Department Faculty shall have a like right to appeal.

(d) The Advisory Board or the Executive Committee of the Council, as the case may be, shall in such cases consider the course to be pursued, and shall submit its opinion in writing to the President of the University, whose decision shall be final.

(e) The proper Department Faculties shall determine by vote when students shall be recommended for graduation, and the Executive Heads shall report the names of such students to the proper committee.

Sec. 4. Department Faculties may adopt by-laws for regulating the internal affairs of the department and shall keep a record of their official acts.

Sec. 5. Meetings of a Department Faculty may be called by the Executive Head or by any two voting members.

CHAPTER VIII.

The Registrar.

Section 1. The Registrar shall be appointed in the same manner as professors are appointed, and shall be a member of the Academic Council.

Sec. 2. He shall be responsible for the care of the records of students.

Sec. 3. He shall be the official medium of communication between the students and the academic committees.

Sec. 4. He shall prepare, subject to the approval of the President and the Executive Committee, all official publications of the University, such as the Register, Bulletins, Directory, etc.

Sec. 5. He shall have control of such clerical assistants as are provided for the preparation and care of records of the academic work of the University.

Sec. 6. He shall conduct such a bureau of information as is necessary for the academic work of the University.

Sec. 7. He shall issue the calls for meetings of the Council and of the various committees of the University, as directed by the proper authorities.

Sec. 8. He shall be secretary of the Council and shall keep a record of its proceedings.

CHAPTER IX.

The Librarian.

Section 1. The Librarian shall be appointed in the same manner as professors are appointed, and shall be a member of the Academic Council.

Sec. 2. He shall have custody of all books, etc., belonging to the University Library or to Department Libraries.

Sec. 3. He shall have control of all assistants who shall be employed in the administration of the Library.

PART VI.

BY-LAWS AND RULES OF ORDER OF THE BOARD OF TRUSTEES

BY-LAWS AND RULES OF ORDER

OF THE

BOARD OF TRUSTEES

OF THE

LELAND STANFORD JUNIOR UNIVERSITY

(As Adopted March 26, 1904, and Revised March 29, 1907)

CHAPTER I.

Trustees.

Section 1. The number of Trustees is fixed at fifteen, of whom those appointed before May 31, 1899, hold office for life, and all appointed or elected after that date hold office for ten years only after such appointment or election.

Sec. 2. The Trustees of the Leland Stanford Junior University, in their collective or corporate capacity, shall be known and designated as "The Board of Trustees of the Leland Stanford Junior University."

Sec. 3. All vacancies in the Board shall be filled by the remaining Trustees by ballot, either at the annual meeting or at a special meeting, of which due notice shall be given stating the vacancy to be filled, and the terms of office of Trustees thus elected shall be ten years.

Sec. 4. All nominations to fill vacancies in the Board must lie over for at least thirty days before being voted upon. Notice of such nominations must be mailed to each Trustee at least twenty-five days before the meeting at which the nomination is acted upon, and the ballots of eight Trustees present shall be required to elect.

Sec. 5. The Trustees shall serve without compensation.

Sec. 6. Any Trustee may for good cause be removed by a proper court of equity jurisdiction, after notice to him, upon the application of the Board of Trustees.

Sec. 7. Any Trustee may in writing delivered to the Board of Trustees resign his office as Trustee.

Sec. 8. The Board of Trustees shall annually report their proceedings to the person who for the time being shall fill the office of Governor of the State of California, with a full account of their financial operations for the preceding year, and with a statement of the financial affairs of the institution.

CHAPTER II.

Meetings.

Section 1. The annual meeting of the Board shall be held on the first day of August of each year, at the same hour and place as the regular monthly meetings, unless otherwise determined by resolution of the Board, at which meeting the officers of the Board for the coming year shall be elected. If the first day of August comes on a Sunday, the annual meeting shall be held on the following Monday.

Sec. 2. The Board may determine, by resolution or By-Law, when, where and how often it will hold regular meetings.

Sec. 3. Special meetings may be called by the President or Secretary at any time, and must be called at the written request of five Trustees.

Sec. 4. Due notice of all meetings whatever shall be sent by the President or Secretary to each Trustee in the State of California by mail, telegraph or telephone in time for said Trustees to attend the same. The mailing of a notice to each Trustee addressed to his residence or place of business four days before any meeting is sufficient notice of such meeting.

The recital by the Secretary in the minutes that due notice was given shall be sufficient evidence of the fact.

Sec. 5. At all meetings of the Board a majority of the Trustees shall constitute a quorum and the concurrence of a majority (eight) of the Board shall be necessary and sufficient for the transaction of any business.

CHAPTER III.

Officers.

Section 1. The officers of the Board shall consist of a President, a Vice-President, a Secretary and a Treasurer, who shall be elected by the Board on the first day of August of each year and shall hold office for one year and until their successors are chosen and qualify.

Sec. 2. Their term of office shall begin immediately after their election.

Sec. 3. Vacancies may be filled for the unexpired term at any regular meeting of the Board, or at any special meeting called for the purpose.

Sec. 4. In the absence of the President and Vice-President, or their inability to act, the Board may elect a President pro tempore, who shall act as President during such absence or inability to act.

Sec. 5. In the Secretary's absence or inability to act, the Board may elect a Secretary pro tempore, who shall act as Secretary during such absence or inability to act.

Sec. 6. The Board may elect an Assistant Treasurer who shall act as Treasurer in the Treasurer's absence or inability to act.

Sec. 7. The Secretary and Treasurer need not be members of the Board.

CHAPTER IV.

Duties of the Officers and Employees.

Section 1. The respective officers of the Board of Trustees shall exercise the usual functions of such officers together with such powers and duties as the Board of Trustees may, from time to time, designate or assign to them.

Sec. 2. The President, and in the President's absence or inability to act, the Vice-President, shall preside over the meetings of the Board, and may call meetings of the Board in accordance with these By-Laws.

Sec. 3.

(a) The Secretary shall notify the Trustees of all meetings of the Board, in accordance with these By-Laws, and keep a full and fair record of its proceedings.

(b) He may employ an assistant, subject to the confirmation of the Board, who shall assist the Secretary at the desk and perform such clerical work as the Board or Secretary may designate.

(c) The Secretary when so requested shall give notice of committee meetings, and if desired he or his assistant shall attend such meetings and keep a record thereof.

Sec. 4.

(a) The Treasurer shall receive and disburse the funds of the Board under the direction of the Finance Committee in accordance with the orders of the Board, taking proper vouchers therefor.

(b) He shall keep a clear and accurate set of books, recording the details of the business transactions of the Board, and these books shall always be open to the inspection of the Trustees.

(c) He shall make a report of the condition of the Treasury at each regular meeting of the Board, through the Finance Committee, and on August 1st, at the end of each

fiscal year, he shall report to the Board a full account of its financial operations for the preceding year, with a statement of the financial affairs of the institution.

(d) The Treasurer shall have charge of the cash and securities and of the registers of the property of the trust.

(e) He shall pay out money only as authorized by the Board of Trustees, and approved on behalf of the Finance Committee in such manner as may, from time to time, be determined by the Board of Trustees.

(f) The Treasurer shall be required to submit to the Finance Committee, at a time to be fixed by them, a statement showing the probable income of the trust for the following fiscal year, and also a statement of available funds.

(g) In addition to a statement of cash balance submitted to the monthly meetings of the Finance Committee, there shall be prepared each month a complete statement in summary form, with detail and schedules, of the income and expenditure from the commencement of the fiscal year of the University to the end of the preceding month. This statement shall show for each department the appropriation made, the amount thereof expended, and the balance remaining unexpended, and shall give also the corresponding figures for the preceding year.

(h) Similar statement shall also be prepared of income.

(i) There shall also be submitted a general financial statement in the form of a condensed trial balance or balance sheet.

(j) Statements shall be prepared in the accounting office and submitted to the Auditor for verification and certification before being presented to the Board.

Sec. 5.

(a) The Board may employ a business manager, who shall have general care and management of all the property of the trust, under the direction of the Finance Committee and the limitations of these By-Laws, and they may select the Treasurer as such business manager.

(b) Contracts for the construction and equipment of buildings may be made by him in accordance with orders of the Board, and he shall have supervision of the erection and permanent equipment of the same.

(c) When completed and ready for occupancy, buildings on the campus shall be turned over to the University Committee for use.

(d) The business manager shall submit to the Finance Committee, at a time to be fixed by them, an estimate in such detail as possible, showing the amount needed for the care and preservation of the property under his direction, and also such amounts as may be necessary to complete any buildings or contracts which may have been entered into by the Board.

Sec. 6. The Treasurer or business manager may appoint the subordinates in his office, but the Board must confirm the appointments of the same and fix their salaries.

Sec. 7. The Board may require of the Treasurer a bond for his faithful performance of his duty.

Sec. 8. The Board shall appoint a purchasing agent, through whom purchases of supplies required by the University shall be made so far as practicable.

Sec. 9.

(a) The Board shall appoint an auditor, whose duty shall be to audit all bills before payment, as well as to audit all accounts and compare the same with vouchers, both receipts and disbursements, also to certify the monthly and annual statements of accounts submitted to the Board of Trustees or the Finance Committee.

(b) The auditor shall be nominated by the Finance Committee and shall report to them and be responsible to them.

Sec. 10.

(a) The Board shall appoint a storekeeper, who shall be nominated by and be responsible to the business manager.

(b) The storekeeper's duties shall be:

1. To receive all goods coming to the University and to distribute the same to the different departments upon approved requisitions, taking proper receipt therefor.

2. To keep a sufficient supply of standard articles in stock for issuance to departments as required.

3. To keep proper record of all articles kept in stock and to render monthly bills to the departments for all issues thereof.

4. To certify all bills for supplies received in the University as being received in the proper quantity and quality.

CHAPTER V.

Committees.

Section 1. The Board may determine the number of its committees and their functions.

Sec. 2. The members of the different committees shall be appointed by the President at the annual meeting and confirmed by the Board.

Sec. 3. Until further determined there shall be six Standing Committees—the Committees respectively on Finance, on the University, on the Museum, on the Church, on Rules and on the Library.

Sec. 4.

(a) The Committee on Finance shall have general charge and control of the property belonging to the trust, but the occupancy and use of the buildings used for University purposes, except the Dormitories, belong respectively to the Committees on University, Museum and Church, and those committees are responsible for the care and use of the furniture, equipment and contents of those buildings.

(b) The Dormitories are in charge and control of the Finance Committee.

(c) They shall carefully watch the investments, and it shall be their duty to check over the securities semi-annually and make report to the Board as to the condition in which they are found.

(d) Should any marked depreciation occur in any of the securities held by the trust, it shall be their duty to report the same to the Board of Trustees for proper action.

(e) They shall see that a system of safeguards and vouchers for the receipt and expenditure of money is maintained and shall take care that the books of the Treasurer are properly kept.

(f) At the regular February meeting of the Board they shall make up the budget for the coming year and present the same to the Board for its consideration.

(g) The buildings under process of construction on June 1, 1903, shall be in charge of the Finance Committee until completed and permanently equipped, when they shall be turned over to the University Committee for occupation.

Sec. 5. The University Committee, under the limitations imposed by the founders and the Board, shall have general oversight of the internal administration of the academic affairs, the teaching staff and their compensation, the expense incurred upon the campus, the academic buildings and the athletic fields, and the relations of the different departments to one another and to the Board.

Sec. 6. The Museum Committee shall have general charge of the Museum.

Sec. 7. The Church Committee shall have general charge of the Church.

Sec. 8. The Committee on Rules shall perfect the plan of organization of the University, and to it shall be referred all propositions for changes in such organization.

Sec. 9. The Library Committee shall have general oversight of the administration of the University Library.

Sec. 10. At each regular meeting of the Board each committee shall make a report, oral or written, concerning its department.

Sec. 11. Until otherwise determined by the Board, three members may constitute a quorum at any regularly called meeting of the Committees on Finance, University, Rules and Library.

CHAPTER VI.

Financial Management.

Section 1. Appropriations.

(a) At the close of each calendar year the heads of the Faculty Departments shall be required to prepare estimates of the cost of their respective departments for the following academic year. Such estimates shall be prepared in considerable detail and be submitted to the President of the University for approval. These estimates shall then be submitted to the University Committee, and by them be reported to the Board of Trustees with their approval or otherwise, as the case may be.

(b) The Finance Committee shall prepare and submit to the Board of Trustees annually at the February meeting of the Board a budget showing the probable income of the trust, and the amount which is available for use during the ensuing fiscal year. After the Board of Trustees shall have set aside the amount necessary for insurance, depreciation and reserve fund, the balance will be applicable to University purposes.

(c) Upon this statement so submitted the Board of Trustees shall appropriate such sums as they may think fit for the expenditures for the year of the different department faculties or other spending departments, which appropriation shall be considered as final and not to be varied without a subsequent resolution of the Board of Trustees.

Sec. 2. Requisitions.

(a) All supplies or cash advances required by any Faculty department or other department shall be based upon a requisition signed by the head of the department. In the case of Faculty departments they shall, after proper investigation, be approved by the President of the University, and in the case of other departments by the business manager. They shall then be forwarded by the business manager to the purchasing agent for execution, except in the case of supplies of which there is a stock on hand, when the order shall be forwarded to the storekeeper.

(b) Requisitions shall bear reference to and not exceed the appropriation from which they are payable, and it shall be the duty of those approving a requisition to satisfy themselves that it comes within that appropriation.

Sec. 3. Payment of bills.

(a) All bills must be rendered in duplicate.

(b) The purchasing agent shall certify the original for the correctness of price and conformity with order, and shall mark the same with a reference to the appropriation to which it relates. He shall then send both bills, corrected, if necessary, to the storekeeper, who shall certify the original for the receipt of the goods, weight and quality, retaining the duplicate and sending the original to the head of the department by whom the requisition was made. The latter shall certify to the receipt of the articles and return the bill to the business manager's office, where the date of return shall be noted in the register.

(c) Bills for stores received by the storekeeper shall be returned by him duly certified direct to the business manager.

(d) After bills shall have been approved by the President of the University in the case of items for Faculty departments and by the business manager, in the case of items for stores and other departments, vouchers therefor shall be made out in the business manager's office and be submitted, with the original bills attached, to the Auditor for approval. The

vouchers, together with the original bills, shall then be laid before the Finance Committee for approval and countersigned by two members thereof. Such approval shall be authority to the Treasurer to sign the check portion of the voucher and to issue the same in payment of the bills.

CHAPTER VII.

Amendment of By-Laws.

Section 1. These By-Laws may be amended at any regular meeting by eight affirmative votes, notice of the proposed amendment having been given in writing at a preceding meeting.

RULES OF ORDER.

The following Rules of Order shall be observed unless suspended by resolution of the Board or by common consent. If they are departed from without objection they shall be deemed to be suspended by common consent, but no minute need be made of such suspension.

The order of business at regular meetings of the Board shall be:

I. Reading of minutes.

II. Reports of Standing Committees in the following order:

1. University Committee, including report of President of the University.
2. Library Committee.
3. Museum Committee.
4. Church Committee.
5. Finance Committee, including report of Treasurer.
6. Rules Committee.

III. Special Committees.

IV. Unfinished business.

V. New business, including communications.

The method of conducing the business at the meetings of the Board and the mutual duties of the presiding officer and the members of the Board, shall be such as ordinarily prevail in bodies of this character.

In the determination of all questions of parliamentary usage the decision of the presiding officer shall be based upon Roberts' Rules of Order, and shall be final and binding unless an appeal be taken from the decision of the chair.

These rules may be suspended at any meeting by unanimous consent of the Trustees present, and may be amended at any regular meeting by eight affrmative votes, notice of the proposed amendment having been given in writing at the last preceding regular meeting.

PART VII.

GENERAL RESOLUTIONS OF THE BOARD OF TRUSTEES

GENERAL RESOLUTIONS.

(These Resolutions are Subject to Frequent Changes.)

Agents of Student Publications and Organizations.

Resolved, That all agents of student publications and student organizations be required to carry and present papers signed by the President of the University, identifying such individuals and indicating the extent of their authority.

(Adopted April 30, 1904.)

Apparatus, Responsibility for Protection of.

Resolved, That the President be requested to notify the head of each department that he will be held responsible for the taking of all necessary measures for the protection of the apparatus and other property of the University belonging to his department.

(Adopted January 25, 1907.)

Appropriations Include Freight and Express Charges.

Resolved, That all appropriations hereafter made for supplies, equipment and materials shall be deemed to include all costs incidental thereto, including freight and express charges, commissions and store charges.

(Adopted January 31, 1908.)

Articles of Organization of Faculty, adoption of.

Resolved, That the following articles of organization of the University Faculty be adopted: [The Articles of Organization are printed at page 89 and following.]

(Adopted March 31, 1904.)

Announcements of Actions.

Resolved, That the Secretary of the Board be authorized to give out such information concerning actions of the Board of Trustees, not relative to the appointment of professors or to the finances of the University, as he may consider desirable.

(Adopted June 29, 1906.)

Appointments, Promotions and Dismissals.

Resolved, That the following resolution presented by the Organization Committee relative to the appointment, promotion and dismissal of professors and teachers at the University be adopted by the Board of Trustees, subject to amendment or repeal by the Board:

> Whereas, It is desirable that all nominations for appointments and promotions of members of the teaching staff at the University and all recommendations for dismissals be made by or through the President of the University, the Board of Trustees taking no initiative in these matters; and
>
> Whereas, It is undesirable that either the power of appointment or removal should vest absolutely in the hands of a single person,
>
> It is resolved and agreed by the Board of Trustees and President of the Leland Stanford Junior University that so long as nominations for appointments and promotions of members of the teaching staff at the University are made by or through the President of the University, no dismissal shall be made without the concurrence of a majority of the Trustees present at a meeting of the Board of Trustees at which a quorum shall be present;
>
> That in the case of the recommendation of the removal of a member of the teaching staff involving any question affecting his honor or moral character, he shall be furnished by the President, upon application, with a specific written statement of all charges and evidence reflecting upon his honor or moral character, and be given an opportunity to present a written statement of his answer and of any evidence he may wish to offer in defense, and a copy of all such charges and evidence, together with any answer and evidence offered by the accused, and the recommendations of the Advisory Board,

shall be attached to the recomendation of the President of the University, and the action of the Board of Trustees shall be based solely upon the recommendation of the President of the University and the record attached thereto, there being no further hearing before the Board of Trustees or any member thereof, unless the Board in its discretion shall elect to receive other evidence in aid of its decision, and any such recommendation and information affecting the honor or character of a member of the teaching staff shall be presented to and acted upon by the Board of Trustees separately from anything which may involve his competency or fitness in any other respect. The members of the Board shall not in any case or in any event listen to or receive any statement concerning such matter except in open meeting.

(Adopted March 30, 1906.)

Assembly Hall Rental.

Resolved, That the rental of $30 per night for the Assembly Hall be waived in the case of any entertainment recommended by the Committee of the Faculty on Public Entertainments, provided there is no profit derived from the same, but that in case the entertainment yields a profit the usual rental shall be payable only to the extent of the profit.

(Adopted September 28, 1906.)

Association of American Universities, membership in.

Resolved, That the University accept membership in the Association of American Universities.

(Adopted August 1, 1904.)

Athletic Fields, Control of.

Resolved, That the following report of the President as to the control of the Athletic Grounds, dated October 24th, 1905, be approved and placed on file:

"In view of the fact that the athletic grounds to be used by the students for athletic purposes are to be placed under the general control of the President and Faculty of the Uni-

versity through the propert committees, I beg leave to report that the following plan of control has been adopted, having been considered and approved by the Advisory Board of the Faculty:

"It is understood that the Athletic Committee of the Faculty has control over the acts of students on the grounds in so far as the good name of the University is concerned, their jurisdiction extending to all matters pertaining to the athletic games.

"The direct control of the grounds themselves is to be in the hands of a joint committee, as follows:

"1. For the control of the grounds used by the young men, there shall be a committee of seven, composed as follows: 2 members of the Athletic Committee, the Chairman and one member appointed by the President, the Chairman to be ex-officio Chairman of this general committee; 2 alumni, one resident within two miles of the grounds—these two to be selected by the executive committee of the Alumni; 3 students, one, the secretary of the student-body, to be ex-officio a member, the other two to be chosen by the executive committee of the student-body. All these to remain in service during the university year and until their successors are chosen.

"2. For the control of the grounds devoted to the young women, there shall be a committee of five, composed as follows: 1 member of the Committee on Athletics, to be chosen by the President and to act as ex-officio Chairman of the joint committee; 1 member of the University staff, a woman, to be appointed by the President; 1 Alumna member, to be chosen by the executive committee of the girls' athletic association, this member to reside within two miles of the grounds in question; the other two to be the president and secretary of the girls' athletic association. Each of these, as in the other case, to remain in service for the university year and until their successors are chosen."

(Adopted November 24, 1905.)

Athletic and Other Fields, Improvement of.

Resolved, By the Board of Trustees of the Leland Stanford Junior University,

THAT no structure or other improvement shall be erected or made upon any portion of the Palo Alto Estate set aside

or used for athletic or other University purposes, excepting upon condition that such structure or improvement shall immediately and unconditionally become the property of the Board of Trustees of the Leland Stanford Junior University, and shall be free from any and all liens or encumbrances.

THAT no such structure or improvement shall be made without the consent and approval of the Treasurer of the Board of Trustees, and the President and Faculty of the University or of such Faculty Committee as may have charge of such matters.

THAT the party or contractor erecting or making any such structure or improvement shall give a good and sufficient bond, in a sum not exceeding the cost of the structure or improvement, protecting the Board of Trustees and the property of the Leland Stanford Junior University against all mechanics' and other liens growing out of, or incident to, the erection or making of such structure or improvement, provided that the Treasurer of the Board may waive such bond in case of any improvement not exceeding five hundred dollars ($500) in cost.

THAT the Athletic Fields and all structures and improvements thereon shall be regarded as parts of the educational equipment of the University and shall be under the supervision of the University Committee.

THAT the Treasurer shall give and post due legal notice in the name of the Board of Trustees to protect the Trustees and the University from liability for mechanics', laborers' and other liens for, on account of, the erection of any structure or the making of any improvement, aforesaid.

(Adopted May 19, 1905.)

Athletic Field, Location of.

Resolved, That the location of the students' athletic field, as shown upon a map furnished by the Student Body and on

file in the Treasurer's office, be approved, subject to such change as may hereafter be deemed desirable.

(Adopted February 22, 1905; amended October 4, 1907.)

Auditor to be Furnished With Minutes.

Resolved, That the Auditor of the University Accounts be furnished by the Secretary with so much of the minutes of the meetings of the Board of Trustees as will throw any light upon his duties as such Auditor.

(Adopted February 25, 1907.)

Automobile Road, Location of.

Resolved, That the automobile road, as recommended by the special committee appointed to locate an automobile road through the campus, be approved, said automobile road commencing east of the main entrance to the University Grounds, extending in a southerly direction through the Arboretum and connecting with the road passing in front of the Gymnasium and along the east end of the outer quadrangle, and passing over Lasuen Street to the County Road south of the University buildings.

(Adopted November 2, 1906.)

Automobiles, Speed Limit.

Resolved, That all streets, roads and avenues excepting the main university avenue and the alleys and lanes be opened to automobiles until the further pleasure of the Board, subject to the usual speed limit of ten miles an hour, in force in thickly settled communities, with a view to determining the desirability, or otherwise, of permanently removing the restrictions on all such roads, avenues and streets excepting the main university avenue and the alleys and lanes.

(Adopted October 30, 1908.)

Bond Premium, Amortization Fund.

Whereas, The amount of a Sinking Fund for the amortization of the premium paid for a Bond is readily determinable by arithmetical calculation,

Resolved, That this Board of Trustees set aside from the gross annual interest on bonds, the actual proportion of such interest as is required to amortize the premium. Said proportion to be separately invested as a Sinking Fund and all income therefrom to go to the General Fund.

(Adopted June 26, 1908.)

By-Laws and Rules of Order, Revision of.

Resolved, That the by-laws and rules of order of the Board of Trustees of the Leland Stanford Junior University be amended so as to read as follows: Notice of all amendments of said by-laws and rules of order having been given in writing at the last preceding regular meeting: [For copy of by-laws see page 103 and following.]

(Adopted March 29, 1907.)

Carnegie Foundation, Funds of.

Resolved, That the Treasurer be requested to receive any pension funds forwarded to him by the Carnegie Foundation for the Advancement of Teaching, and to disburse the same in accordance with the regulations prescribed by that institution.

(Adopted June 29, 1906.)

Cooper Medical College, Transfer of.

Resolved, That it is the sense of the Board of Trustees that the proposed transfer of Cooper Medical College properties be accepted by the Board of Trustees upon the terms recommended by the special committee and approved by the President of the University.

Resolved, That the Secretary be instructed to communicate the foregoing action to the trustees of the Cooper Medical College, and that the President of this Board be instructed to confer with the attorneys for the Board with regard to such legal steps as may be necessary to effect the proposed transfer.

(Adopted January 31, 1908.)

Cooper Medical College, Transfer of.

Resolved, That the President of the Board of Trustees be authorized and directed to take all necessary steps toward the acceptance of, and to accept any conveyances of Cooper Medical College properties; to execute all instruments in the premises on behalf of the Board of Trustees and to carry out in detail the resolution of the Board of Trustees heretofore adopted in the premises.

(Adopted June 26, 1908.)

Cooper Medical College Properties, Acceptance of.

"Whereas, Cooper Medical College, a corporation created and organized for the purpose of medical education under the laws of the State of California, and having its college buildings in the City and County of San Francisco in said State, is about to convey and transfer to the Trustees of Leland Stanford Junior University all the properties, both real and personal, wheresoever the same may be situated, now belonging to said college, to the end that all the said properties may be used by the medical department of said university for purposes of medical education;

"Now, Therefore be it Resolved, That we, as such Trustees, do accept all and singular said properties, to be used as aforesaid, including the erection and maintenance by us of a library building and library in said City and County of San Francisco, said library building to be named the Levi Cooper Lane Library of Medicine and Surgery, as provided for by the will of Pauline C. Lane and to the extent of the properties and their proceeds bequeathed to Cooper Medical College by said

will for the said purpose, and that all the diplomas issued by said university to those who have taken the course in said medical department, shall bear upon their face the words 'Founded as Cooper Medical College by Levi Cooper Lane';

"And it is Further Resolved, That in the event any of the said buildings, together with the lands on which they stand, are sold by said Trustees, then and in such event other buildings shall be erected out of the proceeds of such sale (said buildings to be used for the purpose of medical education), and on their walls shall be placed such tablets as shall in appropriate language perpetuate the name of Levi Cooper Lane;

"And it is Resolved, That said Trustees will maintain a perpetual fund for the maintenance of the Lane Medical Lectures, not to exceed $50,000, out of moneys which may be transferred to said Trustees for said purpose."

(Adopted October 30, 1908.)

Diplomas, Execution of.

Resolved, That diplomas authorized by the Board of Trustees be signed by the President of the Board of Trustees and by the President of the University, and that the seal of the University be attached thereto.

(Adopted April 30, 1904; amended October 4, 1907.)

Dormitories, Room Rent.

Resolved, That the rental of rooms in Encina Hall and Roble Hall should be $6 per month per student, beginning with the next college year.

(Adopted March 26, 1904.)

Drunkenness, a Ground for Suspension.

Resolved, That drunkenness be regarded as a ground for suspension from the University, and that the President and Faculty take all necessary steps to enforce this resolution.

(Adopted February 7, 1908.)

Department and Guild Fees.

Resolved, That Department fees for material used should be levied and collected separately from any other fees which may be charged in the University, and be made regardless of such general fees.

That they should include in each case the amount estimated to cover (1) material used and consumed; (2) the cost of the staff necessary to procure and to care for such material; (3) wear and tear of apparatus and machinery, including cost of repair and replacement; (4) the cost of the care and the wear and tear of Department Libraries to which the students have access.

That they should not include general expenses made on behalf of Departments in general.

That the estimates should be so made that the fees will not yield a profit in any case, excepting incidentally to avoid a probable loss.

That the Guild Hospital fee should be retained, but that the responsibility for its expenditure should continue to rest with the Students Guild as at present.

(Adopted February 23, 1906.)

Electric Wiring.

Resolved, That unless otherwise expressly authorized by the Board no temporary wiring or other changes be made in electric wiring at the University excepting under the direction of the Treasurer.

(Adopted November 30, 1906; amended October 4, 1907.)

Encina Gymnasium Lights.

Resolved, That the lights in the Encina Gymnasium be extinguished at 9 o'clock P. M., excepting on Thursdays, when they may be left on until 9:30 o'clock P. M., unless

other arrangements should be made between the President of the University and the Treasurer.

(Adopted November 30, 1904.)

Encina Hall Lights, Agreement in re.

Whereas, The students of Encina Hall having requested that the current for lights be kept on in the Hall until 12 o'clock P. M., promising that in consideration of this the students in the Hall would see that every unused light was promptly turned off, that all waste of light would be avoided and the cost of lighting the Hall would not be increased; the Manager be authorized to make the change requested in both Halls subject to above conditions and to place a meter in each Hall to ascertain whether the cost of lighting is increased.

(Adopted January 30, 1904; amended October 4, 1907.)

Entrance Requirements and Courses of Study.

Resolved, by the Board of Trustees, that the President and Faculty consider the advisability of adopting a system of entrance requirements and courses of study in which a greater portion of the work of the students shall be specifically prescribed; and

That, to assist the Trustees and Faculty in the consideration of these matters, there be printed, under the direction of the Registrar, the records of entrance and University credits of all graduates from June 1st, 1903 to June 1st, 1905, also the entrance requirements and courses of study of other leading colleges and universities, together with such schedules and additional matter as the Trustees, President or Faculty may consider of substantial assistance to them.

Resolved that this resolution be adopted and communicated to the President, and through him to the Academic Council.

(Adopted March 29, 1905.)

Faculty Houses, Terms on which Built.

Resolved, That the Faculty be notified that the Trustees will build houses for them, at the rental of ten per cent. per annum on the cost of building and fixtures, and that they be invited to submit to the Finance Committee for approval their applications for such houses, with sketches of plans, estimates of cost; the details to be supplied if desired by the Architect of the University. The location of such buildings to be fixed by the business manager, in consultation with the applicant, having regard to the limitations imposed by Mrs. Stanford, to the roads, drains, etc., now constructed or planned, and to any other limitations which the Trustees may impose. Such applications may be made either through the Business Office or the President's Office for transmission to the Finance Committee.

(Adopted September 28, 1906; amended October 4, 1907.)

Fiscal Year, Commencement of.

Resolved, That the commencement of the fiscal year of the University be changed from June 1st to August 1st of each year, and that the By-Laws of the Board of Trustees be amended accordingly.

(Adopted February 25, 1907.)

Fraternity and Sorority Houses, Mingling of.

Resolved, That the following resolution of the Committee on Student Affairs be approved:

Resolved, That it is the sense of the Committee on Student Affairs that the mingling of fraternity and sorority houses on the University Campus is not for the best interests of the University community, and that it is desirable, where possible, in the assignment of building sites in the new subdivisions, that close proximity of fraternity and sorority houses should be avoided; and that it is especially undesirable that any sorority should be located at a relatively remote point in the

campus community with only fraternities for immediate neighbors.

(Adopted April 26, 1907.)

Guild Fees, Collection of.

Resolved, That the President of the University be authorized to take such steps as he may consider necessary to provide for the collection on account of the Students' Guild of the University, of such reasonable Guild fees and assessments, not exceeding five dollars in amount for each student in any year, as may be voluntarily levied by direct vote or authority of the students.

(Adopted February 27, 1904.)

Hygiene and Graphic Art Departments.

Resolved, That it is the sense of the Board that neither the Hygiene Department nor the Graphic Art Department be developed beyond its present condition, nor that the appropriation for their support be substantially increased, but that both departments be maintained substantially as at present, so long as the Board shall so desire to maintain them.

(Adopted October 30, 1908.)

Graphic Art, Degrees in.

Resolved, That degrees in Hygiene be not granted, but that academic degrees in Graphic Art be granted subject to the future action of the Faculty and Board of Trustees.

(Adopted October 30, 1908.)

Insurance of Growing Crops.

Resolved, That the Treasurer and Manager be authorized to insure all standing crops belonging to the University.

(Adopted May 31, 1907.)

Insurance, Employers' Liability.

Resolved, That the Treasurer be directed to take out employers' liability insurance in the name of the Trustees of the University in the amount of $10,000, covering accidents to all employees.

Adopted September 28, 1906; amended October 4, 1907.)

Jewel Fund, Origin of.

The following communication from Mrs. Jane L. Stanford was presented and read:

"February 13th, 1905.

"The Honorable Board of Trustees of the

Leland Stanford Junior University:

"As I am about to take a short sea voyage for the benefit of my health and consequently will not be present with you at your next meeting, I write this letter to inform you as to my wishes in regard to special arrangements and directions which I gave you some time ago in regard to the disposal of my jewels, and the use of my home at Palo Alto.

"In my address to the Board, of the 3rd of October, 1902, is the following clause relative to the Palo Alto residence:

> "'My Palo Alto Residence may be used as a residence for the President of the University, or for such other purpose as the Board of Trustees may determine, after my wishes are carried out as to removing certain articles from therein, to be placed in the Museum, which are mentioned in my last will and testament, or in an address heretofore made by me to the Trustees. The articles not mentioned to be disposed of as they deem best.'

"I now think it best to use this home for educational purposes exclusively, as an annex or department in connection with the University, and take this opportunity to express the wish that it be put to some such purpose or use after my departure from this life. It is too expensive to maintain to be used as a residence for the President of the University.

"I also desire to assent to and suggest the removal and sale or other disposition of the articles in the Residence not to be placed in the Museum as above mentioned or indicated and not of service to such annex or department.

"On May 31st, 1899, I granted, assigned, transferred and conveyed to the Trustees of the Leland Stanford Junior University, subject to certain terms and conditions set forth in the instrument conveying the same, all my jewels, consisting of diamonds, rubies, emeralds, pearls and other precious stones, and directed that the proceeds of the sale of said jewels, or so much thereof as might be necessary, be used in payment for the erection and completion of the Memorial Church, then about to be started.

"Excepting such as were sold or otherwise disposed of prior to the first day of June, 1903, said jewels were manually delivered to this Board and are now located in the vaults of the Union Trust Company of San Francisco under the control of your Treasurer.

"I was subsequently enabled to erect the Memorial Church without the necessity of resorting to the sale of these jewels.

"In view of the facts and of my interest in the future development of the University Library, I now request the Trustees to establish and maintain a library fund, and upon the sale of said jewels, after my departure from this life, I desire that the proceeds therefrom be paid into said fund and be preserved intact and invested in bonds or real estate as a part of the capital of the endowment, and that the income therefrom be used exclusively for the purchase of books and other publications.

"I desire the fund be known and designated as the jewel fund.

"I have created and selected a Library Committee of the Board of Trustees under the supervision of which all such purchases should be made.

"JANE L. STANFORD."

It was resolved that the Board assent to the wishes of Mrs. Stanford, as expressed in the letter just read, and that the Trustees hereby extend to Mrs. Stanford their assurances that her wishes will be carried out.

(Adopted February 22, 1905.)

Jewel Fund, Resolution Creating.

Resolved, That the following resolution be adopted and that the details be referred to the Finance Committee for arrangement:

Whereas, It was a cherished plan of Mrs. Jane L. Stanford that all jewels left by her should be sold after her death, and that the proceeds (estimated by her at more than five hundred thousand dollars) should be invested as a permanent fund, of which the income should be used exclusively for the purchase of books for the Library of the Leland Stanford Junior University;

And, Whereas, The pressing financial needs of the University compelled her temporarily to forego said plan, and to sell many of said jewels in her lifetime in order to raise money to maintain the University;

And, Whereas, By communication delivered to this Board at its meeting, held February 22nd, 1905, Mrs. Stanford declared:

> "In view of the facts and of my interest in the future development of the University Library, I now request the Trustees to establish and maintain a library fund, and upon the sale of said jewels, after my departure from this life, I desire that the proceeds therefrom be paid into such fund and be preserved intact, and invested in bonds or real estate as a part of the capital of the endowment, and that the income therefrom be used exclusively for the purchase of books and other publications. I desire that the fund be known and designated as the Jewel Fund. I have created and selected a Library Committee of the

Board of Trustees, under supervision of which all such purchases should be made."

To which communication this Board replied by resolution adopted at said meeting, that it assented to the wishes of Mrs. Stanford as expressed in said communication, and assured her that they would be carried out;

And, Whereas, some of the jewels left by Mrs. Stanford have been sold by the Trustees, and those still on hand will be sold as rapidly as may be practicable without serious sacrifice, but the proceeds of all jewels left by her will probably not exceed the sum of one hundred and fifty thousand (150,000) dollars, owing to said use by her of the greater part of them in order to maintain the University;

Now, Therefore, In order to carry out said plan of Mrs. Stanford and to establish and maintain an adequate library fund, and to perform the promise made by this Board to her, it is—

Resolved, That a fund of five hundred thousand (500,000) dollars, to be known and designated as the "Jewel Fund," is hereby created and established, which Fund shall be preserved intact, and shall be separately invested and kept invested in bonds or real estate by the Board of Trustees, and the income of said Fund shall be used exclusively in the purchase of books and other publications for the Library of the Leland Stanford Junior University, under the supervision and direction of the Library Committee of this Board of Trustees.

Resolved Further, That in order to constitute the principal of said Jewel Fund, we hereby transfer to and place therein

(a) Two hundred (200) bonds of the Northern Railway Company of California, of the par value of one thousand (1,000) dollars each, which have been received by this Board of Trustees under and by virtue of the decree of final distribution of the estate of Jane L. Stanford, deceased, entered in the Superior Court of Santa Clara County, California, said bonds being charged to said fund at their aggregate par value of two hundred thousand (200,000) dollars.

(b) The sum of twenty-six thousand one hundred and twenty-two and 77/100 (26,122.77) dollars in cash, which has been paid to this Board of Trustees by the executors of the last will of Jane L. Stanford, deceased, pursuant to said decree of final distribution.

(c) All sums of money which have been received by this Board from the sales of jewels which were given by Mrs. Stanford in her lifetime to this Board, or to Trustees for it, or which have been received by this Board from the executors of her last will.

(d) All sums of money which may hereafter be received by this Board from the sales of any of said jewels now on hand.

(e) A sum of money out of the General Trust Funds of the Leland Stanford Junior University, which shall be sufficient to make up and constitute said aggregate fund of five hundred thousand (500,000) dollars, after charging thereon said two hundred bonds taken at a valuation of two hundred thousand dollars, said sum of twenty-six thousand one hundred and twenty-two and 77/100 dollars in cash, and said various sums now received and to be received from sales of jewels.

Resolved, Further, That the Treasurer is hereby authorized and directed to forthwith charge to said Fund upon the books of the University all said bonds and cash in hand, which are specified in articles a, b and c, of the foregoing resolution, and to charge to said Fund upon said books all sums of money which may be hereafter received by this Board from the sale of any of said jewels when and as said sums shall be received; and thereupon, when all said jewels shall have been sold and the proceeds of sale thereof shall have been received and so charged, to transfer to said Jewel Fund upon said books, out of the general capital funds of the University a sum of money sufficient to increase the aggregate of all said amounts then so charged to said Jewel Fund, to the entire sum of five hundred thousand (500,000) dollars.

(Adopted May 29, 1908.)

Lease Form, For Ten Year Lot Lease.

Resolved, That the general ten-year ground lease form designated "Trustees' Form, No. 3, Ground Lease," be approved.

(Adopted August 29, 1903.)

Lease Forms.

Resolved, That the following lease forms be approved:

Proposed Trustees' Form, No. 2 (revised).

Trustees' Form, No. 3 (revised).

Trustees' Form, No. 5.

(Adopted October 30, 1908.)

Leases on Palo Alto Farm Authorized.

Resolved, That the President and Secretary of the Board of Trustees be authorized to make and execute in the name of, and on behalf of the Board of Trustees, such leases of portions of the Palo Alto Farm and other property of the University, at Palo Alto, as may be recommended by the Manager or Acting Manager, the term not to exceed five years in length, and the leases not to include such portions of the Palo Alto Estate as may be necessary for University purposes, and to contain reservations of rights of way for such roads, railroads, ditches and flumes as the Board of Trustees may desire to maintain, lease or grant.

(Adopted June 26, 1908.)

Leases to Fraternities and Student Clubs.

Resolved, That the following clauses presented by the attorneys for the Board be adopted for insertion in future leases of lots and buildings for occupancy by fraternities and student clubs:

"It is expressly covenanted, agreed and understood that no malt, spiritous or intoxicating liquors of whatever kind, shall

ever at any time be sold or used on the demised premises, and upon a violation of this covenant this lease shall terminate and become void."

"It is hereby specially covenanted, agreed and understood that the party of the second part or the subtenants of the party of the second part and the occupant and occupants of the premises hereby demised shall at any and all time and times during the term of this lease be subject to the rules of discipline and all other laws and regulations of every kind that may at any time or times be prescribed or adopted by the party of the first part or by the faculty of the Leland Stanford Junior University or other university authorities."

(Adopted October 30, 1908.)

Leaves of Absence, During Term Time.

Resolved, That leaves of absence during term time, especially at the beginning and end of the term, should be discouraged.

(Adopted October 25, 1907.)

Leaves of Absence, Half-Year on Half Pay.

Resolved, That the Board of Trustees grant half-year, that is, single semester leaves, on half pay, when requested by the professors and recommended by the President of the University and the University Committee of the Board of Trustees, under the following circumstances: Only after the serving of six years without leave, or after the serving of three years since the last sabbatical full year's leave, and then only in cases where the work of the professor requesting leave can be satisfactorily provided for and only when such leaves will not interfere with the taking of the sabbatical full year to which another professor in the same department may be entitled at the time such half-year leave is requested.

(Adopted January 10, 1908.)

Leaves of Absence, Sabbatical.

Resolved, That in the opinion of this Board it is advantageous to the University that members of the teaching staff who have completed six years of continuous work in the service of the University be granted sabbatical leave of absence for one year on half pay, such leave to be granted by the Board upon application by such members of the teaching staff through the President of the University.

(Adopted October 4, 1907.)

Leaves of Absence, Short and Urgent.

Resolved, That upon proper application therefor, the President of the University is empowered to grant necessary leaves of absence to members of the teaching staff not exceeding one week in duration, and that such leaves of absence of longer duration be granted only upon application to the Board of Trustees through the President of the University; provided, that when necessity, urgency or public interest shall require immediate action, the President of the University may grant leaves of absence for longer periods between meetings of the Board of Trustees subject to the approval of said Board; all leaves of absence granted by the President to be at once reported to the Trustees.

(Adopted October 25, 1907.)

Leaves of Absence, Without Compensation.

Resolved, That in general, leaves of absence to members of the teaching staff for long periods, or while engaged in outside employment, if granted, will be without salary.

(Adopted October 25, 1907.)

Library Bookplate.

Resolved, That an engraving of the seal be adopted as the chief feature of the bookplates of the University Library.

(Adopted March 27, 1908.)

Library Loans.

Resolved, That the following resolution prepared by the University Librarian, be adopted:

"The Librarian of the University is authorized to lend books in his custody to other libraries for limited periods, provided such loans can be made without inconvenience to the regular users of the University Library. He may also request of other libraries the loan of books which are essential to special work, are not possessed by this library, and are not readily obtainable by purchase. Transportation shall in all cases be at the expense of the borrowing library."

(Adopted September 11, 1908.)

Library Rules.

Resolved, That the following library rules, which are substantially as recommended by the Faculty Library Committee on May 8th, 1908, be approved:

1. The Library is open during term time on week days from 8:00 a. m. to 10:00 p. m., except on Saturdays, when it is closed at 3:30 p. m. During the short vacations the hours are from 8:00 a. m. to 4:00 p. m., Saturdays to 12:30 p. m., and during the long vacation from 9:00 a. m. to 4:00 p. m., Saturdays 9:00 a. m. to 12:00 m.

2. Books may be drawn by all officers and students of the University and by all others having special permission. A student becomes entitled to the privilege of borrowing books for home use upon presenting his or her registration card and signing the required form of application.

3. All books must be properly charged at the loan desk before being taken from the Library. The issuance of a book for use in the reading room does not entitle the holder thereof to take it out of the Library.

4. Students may borrow for home use not more than three books at a time and they may be retained for two weeks.

If not in demand they may be renewed by application at the loan desk for a further period of two weeks. Seniors will be allowed not more than five books at one time. All books are subject to recall at the discretion of the Librarian.

5. Permanent reference works, such as encyclopedias, dictionaries, sets of periodicals, etc., do not circulate. Books reserved for special classes and current periodicals circulate only for periods when the Library is closed, as from Saturday afternoon until Monday morning.

6. A fine of ten cents for each hour overdue is incurred for each reserved book issued for a closed period not returned before 8:30 a. m. the day the Library is next opened. A fine of five cents per day is charged on other books not returned when due. No books will be lent to any student charged with unpaid fines.

Students who neglect to return or to make good the value of books lost, when called upon by the Librarian, are liable to have their registration cancelled.

7. The stacks are open to officers of the University and to graduate students. They are open to undergraduates for a limited period, through stack permits issued on the recommendation of a member of the Academic Council or by permission of the Librarian.

8. Books which must be used by many students within a limited time are termed "hour books." Such books are obtained by signing "hour cards" for given periods, and must be returned to the loan desk at the expiration of the allotted hour.

9. Persons who desire to pursue courses of study or reading without becoming members of the University, may obtain the privileges of the Library, including the privilege of withdrawing books. Each application for such privileges shall be endorsed by two members of the Academic Council, and shall be accompanied by a receipt from the Business Manager of the payment of an annual fee of five dollars. Such

privileges shall lapse on the thirty-first day of the following July, but may be renewed on application to the Librarian after payment of the annual fee.

10. Graduates of the University desiring to withdraw books shall file with the Librarian certificates of graduation signed by the Registrar, and shall deposit five dollars at the Business Office, to be held as security for the safe return of books withdrawn. The deposit shall be returned when the graduate relinquishes this privilege, provided there be no unpaid charges against him.

(Adopted May 29, 1908.)

Liquors, Use of in Student Lodgings Prohibited.

Resolved, That the Academic Council be requested to prohibit the use of intoxicating liquors in fraternity chapter houses, student club houses and other student lodgings.

(Adopted October 30, 1908.)

Loaning of University Property.

Resolved, That University property be not loaned without the approval of the President of the University and the Chairman of the Finance Committee.

(Adopted November 30, 1904.)

Map of San Juan Subdivision Extension.

Resolved, That the preliminary survey of the tract surrounding the reservoir upon the campus of the University, designated upon the map presented by Professor Marx as "Extension of San Juan Subdivision," be approved subject to final survey, and that said map be approved and placed on file.

(Adopted June 28, 1907.)

Map of Lagunita Tract, Approval of.

Resolved, That the blue print map of the tract lying between Lasuen Street and Lagunita, prepared under the direction of Professor Charles D. Marx, be approved by the Board subject to final survey.

(Adopted February 25, 1907.)

Map of Cooksey and San Juan Subdivisions, Approval of.

Resolved, That the blue print map presented by Professor Charles D. Marx, marked "Plan 2," and showing the proposed subdivision of the Cooksey Tract, of the San Juan Tract, lying east thereof, and south of the county road and of the extension of the Alvarado Tract, lying north of the county road, also showing the subdivision of the Lagunita Tract, lying between Lasuen Street and Lagunita, as approved by the Board of Trustees on February 25, 1907, be approved.

(Adopted March 29, 1907.)

Mechanician Shop, Creation of.

Resolved, That the establishment of a shop in connection with the Department of Mechanical Engineering for the production and maintenance of apparatus and mechanical equipment be approved.

(Adopted January 7, 1905.)

Mechanician Shop, Accounts of.

Resolved, That a separate account be opened with the Mechanician shop, and between the shop and each Department using it, that repairs to equipment be chargeable to student fees, and new equipment be chargeable to the general funds of the University, and that salaries in the shop be chargeable to the general funds, subject to reimbursement on account of any repairs to equipment chargeable to student fees.

(Adopted September 29, 1905.)

Mechanician Shop, Scope of Work.

Resolved, That the Mechanician Shop be limited to doing the work of and for the University.

(Adopted November 30, 1906.)

Memorial Church, Services Therein.

Resolved, That in accordance with the desire of Mrs. Stanford, as expressed to the Board of Trustees on January 7, 1905, no services of a secular nature be held in Memorial Church.

(Adopted January 7, 1905.)

Meetings of Board of Trustees, Regular.

Resolved, That unless otherwise determined by a resolution of the Board of Trustees, or by a special call, the regular meetings of the Board of Trustees be held at thirty minutes past one o'clock P. M. on the last Friday of each calendar month, excepting the month of July, at the office of the Board of Trustees, at rooms numbered 510 to 512, in the Union Trust Building, at Number 14 Montgomery Street, in the City and County of San Francisco, State of California.

(Adopted August 1, 1907.)

Medical Department.

Resolved, That in case the needs of the proposed Medical Department over and above its own separate income from medical students and other sources should exceed Twenty-five Thousand Dollars per annum, the wants of other now existing departments of equal importance shall have preference over such needs.

(Adopted January 31, 1908.)

Medical College Curriculum.

Resolved, That the Board approve, subject to amendment, the curriculum of the medical department or school as recom-

mended to the President of the University on October 10, 1908, by the special committee appointed by the President of the University to consider the matter.

(Adopted October 30, 1908.)

Medical Faculty Organization.

Resolved, That the following plan of organization of the medical faculty, as recommended by the Advisory Board of the Faculty on April 13, 1908, be adopted subject to amendment:

"The Medical Faculty shall consist of all professors and associate professors giving instruction in subjects included in the four years' medical course or in any graduate course in Medicine, either in San Francisco or at the University, and all such members shall have votes in the Medical Faculty. Those members of the Medical Faculty who give practically full time to instruction and who receive salaries from the University on that basis, and the Dean or executive head of the Medical Department or School shall be members of the Academic Council of the University under same conditions and on the same basis as is provided under the articles of organization of the faculty. The members of the Medical Faculty who are at the same time members of the Academic Council shall represent the Medical Faculty in all such matters as affect the relations of the Medical Department or School to the University at large, as requirements for admission, requirements for graduation, standards of scholarship to be maintained, and these recommendations shall be subject to the approval of the Academic Council.

"In other respects the Medical Faculty shall bear the same relation to the Trustees, the President and the University Faculty as the other department faculties. The management of the Hospital and of all administrative and executive work of the Medical Department or School shall be in the hands of the Medical Faculty and of such committee as they may select, subject to the control of the Board of Trustees."

(Adopted October 30, 1908.)

Minutes to be sent to Trustees.

Resolved, That a copy of the minutes of each meeting of the Board be furnished to every Trustee residing in California prior to the following meeting..

(Adopted August 29, 1903; amended October 4, 1907.)

Oils and Chemicals, Use and Storage of.

Resolved, That the use of gasoline, kerosene, ether, alcohol and other dangerous oils and chemicals in the quadrangle buildings be prohibited, except under such regulations, to be prescribed by the Treasurer, as will reduce the danger from fire or explosion to the lowest possible degree, and that the Treasurer provide for the storage of such oils and chemicals at a safe distance from the quadrangle buildings.

(Adopted December 26, 1903; amended October 4, 1907.)

President's Reports.

Resolved, That the President annually present a report upon the condition of the University embodying reports of the Department Faculties, the Librarian, Curator of the Museum and Registrar, the first report to cover the year ending July 31st, 1904.

(Adopted August 1, 1904.)

Promises to Members of Faculty.

Resolved, That all promises relative to salaries or promotions, made to either members of the teaching force or to candidates for positions, to be binding, must at the time be reported to and approved by the Board of Trustees.

(Adopted May 25, 1906; amended October 4, 1907.)

Publications, Division of into Series.

Resolved, That University Publications be divided into three series:

1. The Publications of the Registrar's Office;

2. An Academic series on Scientific and other subjects;

3. The Trustees' series, consisting of official publications of the Board of Trustees; and that numbers be assigned to the past and future publications in each series.

(Adopted August 25, 1905.)

Publications, Exchange of Trustees' Series.

Resolved, That all of the publications of the Trustees' Series be sent to all those upon the press exchange list of the President's Office, to those upon the President's Office mailing list, to those upon the Library's mailing list and to the members of the Board of Trustees.

(Adopted August 30, 1907.)

Reconstruction, Commission of Engineers.

Resolved, That the repair and reconstruction of the buildings on the campus, made necessary by the injury thereto by the recent earthquake, be placed in the hands of a commission of our professors, consisting of Prof. Chas. D. Marx, Chairman; Prof. W. F. Durand and Prof. C. B. Wing.

And that such Commission have all the powers that an ordinary architect has in such matters and have charge of the employment of and power to employ such builders, inspectors, workmen and others, as may be necessary to the accomplishment of such repair and reconstruction. For all material purchased for such repair and reconstruction, requisitions shall be made by said Commission to the business office, and orders therefor shall be issued therefrom.

And that the Chairman audit the bills and certify the same to the business office for payment.

The said Commission shall have the power to obtain such advice as it may deem necessary in carrying out its duties, and at such reasonable cost to this Board as may be necessary for that purpose.

For their own services they shall be paid, during vacation only, for such time as they devote to said work at the propor-

tionate rate of their monthly salaries, which shall be in addition to their regular compensation as professors. During term time, if their duties herein provided shall be found to conflict with their duties as professors, then the Board will aid them by providing assistants to the extent that may be necessary, in the instruction of their students.

Said Commission shall make a report to the Trustees of the condition of affairs from time to time, and at least once a month, such regular reports to be made a few days before the monthly meeting of the Board, so that the Board will be fully advised from time to time of the progress and condition of the work.

The arrangements provided for in this resolution shall continue in force as long as all parties are entirely satisfied therewith.

(Adopted June 29, 1906.)

Reconstruction, Funds for.

Resolved, That the necessary funds for the reconstruction and repair of the University buildings damaged by the earthquake of April 18, 1906, be taken from the principal of the trust funds, so far as there is not available income for that purpose, and that each year there be restored to said principal or said trust funds an amount equal to not less than ten per cent. of the amount so taken.

(Adopted June 23, 1906; amended October 4, 1907.)

Registration Fees, Committee on Refunding of.

Resolved, That all petitions for the refund of registration fees be hereafter referred to the Registration Committee of the Faculty, and that in doubtful cases the Registration Committee act upon the advice of a member of the Law Department, and that the Treasurer be authorized to refund registration fees hereafter collected upon the recommendation of the Registration Committee.

(Adopted August 1, 1906.)

Registration Fees, Refund of.

Resolved, That the Treasurer and Manager be authorized to refund any fee collected upon the registration of any student upon the subsequent cancellation of such registration under the rules of the University.

(Adopted August 29, 1903.)

Retirement of Members of Faculty.

Resolved, That all members of the teaching or executive staff of the University shall retire from active service upon the close of the academic year in which they shall become sixty-five years of age, unless with their consent they be continued in active service by the formal action of the Board of Trustees. That the President of the University shall annually present to the Board of Trustees for consideration with the salary roll for the following academic year the names of all members of the teaching or executive staff of the University who shall be over sixty-five years of age on the first day of the following academic year, with his recommendations as to the retirement or retention of all such persons.

(Adopted November 2, 1906.)

Residence Sites for Professors.

Resolved, That the location of professors' residences be not restricted, and that the Extension of the San Juan Subdivision, known as the Water Tower Reservation, consisting, as now laid out, of fourteen lots, be reserved for faculty residences only.

(Adopted February 7, 1908.)

Resolutions Rescinded by By-Laws.

Resolved, That any resolution, the subject matter of which is covered by the provisions of the By-Laws or Articles of Organization of the Faculty subsequently adopted, be deemed rescinded thereby.

(Adopted October 4, 1907.)

Roads on Palo Alto Farm Not Dedicated.

Whereas, No part of the lands of Stanford University in the County of Santa Clara, State of California, has ever been dedicated to the public use, by user or otherwise, as a road, street, avenue, alley, lane or path;

And, Whereas, This Board has the right at any and all times to regulate traffic of every kind on said lands and prescribe the method of use thereof, and has always maintained complete dominion over the same;

And, Whereas, The use of automobiles and motor bicycles on all parts of the University lands was prohibited by Mrs. Jane L. Stanford, while she was Surviving Founder and possessed of all powers now held by this Board;

And, Whereas, This Board did in the year 1906 locate and improve a strip of land for the use of automobiles, but did not dedicate the same to public use, said strip of land commencing east of the main entrance to the University Grounds, extending in a southerly direction through the Arboretum and in front of the new gymnasium and along the east end of the outer quadrangle and passing over that certain strip of land known as Lasuen Street, to the County Road south of the University;

And, Whereas, Certain persons have claimed the right to run automobiles over other portions of said lands than said strip of land so set aside for the use of automobiles;

Now, Therefore, Be It Resolved, That the Manager for the Board of Trustees be and he is hereby authorized and instructed to take such measures as he may think proper to prevent the travel of automobiles and motor bicycles over all portions of the University lands other than that land heretofore set aside for the use of automobiles and motor bicycles.

(Adopted March 6, 1908.)

Rules, Adoption of by Faculty.

Resolved, That it is the sense of the Board of Trustees that the Faculty should formulate and adopt, subject to such action by the Board of Trustees as the Articles of Organization prescribe, such rules governing the entrance requirements, courses of study, conditions of graduation, conduct of students and other matters affecting the work and discipline of the students as it may deem desirable.

(Adopted October 4, 1907.)

Salaries, Automatic Increase of.

Resolved, That unless otherwise determined by special arrangement upon appointment, or promotion, or by special action, all Associate and Assistant Professors shall receive a regular annual increment in salary of $100 for three successive years, beginning at the expiration of the academic year 1906-7, in the cases of Associate and Assistant Professors now in the University, whose said increment for the current year is already allowed, and beginning at the expiration of the first academic year in the cases of Associate and Assistant Professors hereafter appointed or promoted; provided that this rule shall not operate to increase any such salary beyond three thousand dollars.

(Adopted October 25, 1907.)

Salaries, Equal Allowance for Each Semester.

Whereas, The first and second semesters of the academic year represent academic work of substantially equal value and it is desirable that compensation for services during the first and second semesters shall be the same;

It is Resolved, That in all academic matters such as sabbatical years, sabbatical half-years, appointments to take effect at the commencement of the second semester, or for a semester, or leave of absence for a semester, the determination of the proportion of the annual compensation to be paid or deducted

as the case may be, shall be based upon the assumption of equality of service and compensation in each semester, so that the compensation to be paid or deducted for the second semester shall not exceed that paid or deducted for the first semester.

(Adopted May 29, 1908.)

Sales and Contracts, Authorization of.

Resolved, That unless specially authorized by the Board no employee of the Treasurer or Manager shall buy, sell or dispose of any property, or enter into any contract, excepting for the protection of property in case of an emergency, without first obtaining the approval of the Treasurer or Manager, as the case may be.

(Adopted August 1, 1905; amended October 4, 1907.)

Sinking Funds, Bond-Premium, Insurance, Depreciation.

Resolved: 1st. That immediately upon the determination by this Board of Trustees of the amount it shall receive as gross annual income, and before appropriations shall be made therefrom, it shall set aside annually sinking funds as follows:

A.	For absorption of premiums paid for securities	$ 20,000
B.	Insurance	50,000
C.	For depreciation of improvements	100,000

Said funds to be segregated from all other funds and to be separately invested and all income to go to the general fund; these funds to be used only for the purposes for which respectively set aside.

2nd. That the balance of income after deduction of above sinking funds shall be available for the general and educational appropriations for the year.

3rd. That the depreciation account shall date from June 1st, 1903, and that it shall be charged with reconstruction expenses made since that date.

Resolved, Further, That the Board set aside these amounts under the terms of the above resolution for the coming fiscal year.

(Adopted March 6, 1908; amended March 27, 1908.)

Societies, Use of University Buildings by.

Resolved, That the recommendation of the President of the University that authority be given by the Board of Trustees for the granting of permission to scientific and literary societies connected with the University to use the University buildings when necessary for the holding of their meetings, be approved.

(Adopted March 6, 1908.)

Stock of Corporations, Voting of.

Resolved, That the Treasurer and Manager be empowered to have all of the corporate stock belonging to the Trustees transferred to the name of the Board of Trustees, and that he be empowered to vote said stock at all meetings, with power of substitution.

(Adopted September 26, 1903.)

Storekeeper and Supply Store.

Resolved, That the Manager be authorized to appoint a storekeeper and maintain a supply store at the University.

(Adopted January 7, 1905.)

Telephone Switches.

Resolved, That long distance switches from University telephones on other than University business be not chargeable against the University.

(Adopted September 11, 1908.)

Tenure of Associate and Assistant Professors.

Resolved, That unless otherwise expressly provided by the Board of Trustees in individual cases, all appointments of assistant professors shall be made for periods of three years, and all appointments of associate professors shall be made for periods of five years, the tenure of appointment to terminate in each case at the expiration of the period of appointment unless formally continued for an additional period by the Board of Trustees.

That the tenure of service shall not be held to prevent the resignation of an assistant or an associate professor or his removal for inefficiency or other cause.

(Adopted May 19, 1905; amended October 4, 1907.)

Tuition Fees, Statement of Policy.

Resolved, That it is the sense of the Board of Trustees that as soon as conditions will permit tuition fees be charged in professional and engineering courses.

(Adopted June 29, 1906; amended October 4, 1907.)

Tuition Fees, in Law Department.

Resolved, That the following resolution governing the charging of tuition fees in the Law Department, be approved subject to amendment or appeal:

Resolved, That during and after the academic year 1908-09 tuition fees be charged in the Law Department as follows:

For students registering for thirteen (13) or more units in Law in any semester, $25 per semester.

For students registering for less than thirteen (13) units in Law in any semester, two (2) dollars per unit per semester.

No tuition fee to be charged for Law I (Elementary Law), which is not regarded as a professional course.

That students who were registered in Law on March 6, 1907, shall be exempt from the payment of such tuition fees.

(Adopted March 6, 1908.)

Vina Wine Agency.

Resolved, That the proposed contract between the Board of Trustees and the Vina Wine Agency for the sale of the Vina wines and brandies be approved, subject to the approval of the Manager, and that the same be executed and delivered by the President and Secretary of the Board of Trustees when so approved by him.

(Adopted October 30, 1908.)

INDEX.

INDEX.

PAGE

[Page numbers in brackets refer to provisions which have been repealed or modified.]

Academic Council, composition and powers of....100

Addresses of Jane L. Stanford—

Amending trusts:

June 1, 1897....45, 64

May 31, 1899 (deed)....45, 66

October 3, 1902....48, 72

June 1, 1903....49, 81

Not amending trusts:

February 11, 1897....45

June 1, 1897 (letter)....45

May 31, 1899....45

Advisory Board, composition and powers of....102

Agriculture, study of in all its branches provided for....55

Amendment of Trusts:

June 1, 1897....45, 64

May 31, 1899....45, 66

November 1, 1901....47, 70

October 3, 1902....48, 72

June 1, 1903....49, 81

Amendments, later supercede earlier....84

Announcements of Actions (resolution)....128

Appointment of professors....57, 104, 128

Appointment of President of University....57

Appointments, Promotions and Dismissals (resolution)....128

Arts and Sciences, courses of lectures in....61

Assembly Hall rental (resolution)....129

Association and co-operation, rights and advantages of....57

Association of American Universities, membership in (resolution)....129

Athletic Fields, Control of (resolution)....129

Athletic and other fields, Improvement of (resolution)....130

Athletic field, Location of (resolution)....131

Auditor to be furnished with Minutes (resolution)....132

Automobile Road, Location of (resolution)....132

Automobiles, Speed Limit (resolution)....132

Bequest of Leland Stanford....42

Boarding houses upon campus....68, 75

Bond Premium, Amortization Fund (resolution)....133

Buildings of University....60, 64, 76

PAGE
By-Laws, authorized 57, 68, 72, 73, 113
By-Laws and Rules of Order, Revision of (resolution).....133

Capital Endowment, to remain intact.....54, 57
Carnegie Foundation, Funds of (resolution).....133
Cemetery at Mausoleum closed.....75
Church, erection of.....60, 73
Committees of Board of Trustees.....[67], 73, 119
Confirmation of founding and endowment.....18, 44, 45, 81
Conservatories, provision for.....55
Constitutional Amendment.....18
Cooper Medical College, Transfer of (resolution).....133
Cooper Medical College, Transfer of (resolution).....134
Cooper Medical College properties, Acceptance of (resolution).....134
Corporate powers and privileges.
Constitutional Amendment authorizing.....18, 47
Act granting.....19, 47
Assumption of by Board of Trustees.....47, 70
Consent of Surviving Founder thereto.....48, 70

Decree determining the terms, validity and legal effect of University trusts 33
Decree, supplementary.....89
Deeds and Conveyances to Trustees:
By Leland Stanford and Jane L. Stanford,
Founding Grant, November 14, 1885.....39, 53
Bequest of $2,500,000 by Leland Stanford.....42
By Jane Lathrop Stanford:
California Street Mansion, February 11, 1897.....43
Contents of various houses of Mrs. Stanford, Feb. 11, 1897.....43
Bonds and other personal property, June 1, 1897.....43
San Mateo and Santa Clara County properties, Jan. 27, 1899...43
Tehama County property, January 27, 1899.....43
Real and personal property in various places, May 31, 1899.....43
Tehama County property, June 6, 1899.....44
Lassen County property, June 6, 1899.....44
Bonds, manual delivery in New York, July 9, 1900.....46
Bonds, manual delivery in San Francisco, July 23, 1901.....46
California Street Mansion (confirmatory) December 9, 1901....44
Real property in various places (confirmatory) December 9, 1901 44
Bonds, stocks and other properties (confirmatory) December 9, 1901 44
Resignation and Grant, June 1, 1903.....49, 81

PAGE
Department and Guild fees (resolution) 136
Department Faculties, composition and powers 108
Diplomas, Execution of (resolution) 135
Dormitories, Room rent (resolution) 135
Drunkenness, a ground for suspension (resolution) 135

Educational System to fit graduate for some useful pursuit 57, 80, 81
Electric Wiring (resolution) 136
Elementary school upon grounds 68, 74
Election of Trustees—(see Trustees).
Election of Officers—(see Officers).
Encina Gymnasium Lights (resolution) 136
Encina Hall Lights, Agreement in re (resolution) 137
Endowment constitutes a single trust fund 52
Entrance Requirements and Courses of Study (resolution) 137

Faculty Committees, appointment and powers 104
Faculty Houses, Terms on which built (resolution) 138
Faculty, Organization of 58, 99
Financial management ..... [67-8], 73, 121
Fiscal year, Commencement of (resolution) 138
Founders 7
Founding Grant, Execution of 139
Terms of 53
Fraternity and Sorority Houses, Mingling of (resolution) 138

General resolutions ..... 126 ff.
Gifts from others than founders 18, 56, 68, 72, 73
Graphic Art, Degrees in (resolution) 139
Guild fees, Collection of (resolution) 139

High schools, University to keep in touch and harmony with 79
Houses, cost of for officers 65, 69, 76
Houses, cost of for student clubs 65, 69, 76
Houses, cost of for any private use 65, 68, 76
Hygiene and Graphic Art Departments (resolution) 139

Improvement of real estate 73
Inalienability of Palo Alto Farm 64, 73
Income only to be expended 54, 57
Insurance of growing crops (resolution) 139
Insurance, Employers' Liability (resolution) 140

PAGE
Jewel Fund, Origin of (resolution) 140-141-142
Jewel Fund, Resolution on creating (resolution) 142-143-144

Kindergarten on grounds 68, 74

Law, courses of lectures in 61
Leaders and Educators, production of, chief object of University 80
Lease form for Ten-year lot lease (resolution) 145
Leases for boarding-house, school or residence for benefit of any sect prohibited 65
Lease forms (resolution) 145
Leases on Palo Alto Farm authorized (resolution) 145
Leases to fraternities and student clubs (resolution) 145, 146
Leaves of Absence, during term time (resolution) 146
Leaves of Absence, half-year on half pay (resolution) 146
Leaves of Absence, Sabbatical (resolution) 147
Leaves of Absence, Short and Urgent (resolution) 147
Leaves of absence without compensation (resolution) 147
Legislation:
Enabling act 13
Constitutional Amendment 18
Act conferring corporate powers 19
Act concerning taxation and tuition fees 20
Act providing for special proceeding 21
Act providing for resignation of surviving founder 27
Section 2295, Pol. Code 29
Librarian, appointment and powers 110
Library bookplate (resolution) 147
Library building and library 76
Library loans (resolution) 148
Library Rules (resolution) 148
Liquors, Use of in student lodgings prohibited (resolution) 150
Loaning of University property (resolution) 150
Lodging houses upon campus 68, 75

Map of San Juan Subdivision Extension (resolution) 150
Map of Lagunita Tract, Approval of (resolution) 151
Map of Cooksey and San Juan Subdivisions, Approval of (resolution) 151
Mechanician Shop, Creation of (resolution) 151
Mechanician Shop, Accounts of (resolution) 151
Mechanician Shop, Scope of work (resolution) 152
Mechanics, courses of lectures in 61
Mechanical institutes, provided for 55

PAGE
Medical College Curriculum (resolution) 152
Medical Department (resolution) 152
Medical Faculty Organization (resolution) 153
Medicine, courses of lectures in 61
Meetings of Board of Trustees, regular (resolution) 152
Meetings of Board of Trustees:
Regular 67, 72, 114
Special 67, 114
Memorial Church, Services therein (resolution) 152
Minutes to be sent to trustees (resolution) 154
Minors, Custody of 63
Museums, provided for 55
Museum, conditions of admission to ..... [68], 75

Name of institution 55
Name in which property may be received 18, 72, 73
Name in which Trustees may sue and defend 15
Notice of meetings 72, 114

Officers, election of 56, 67, 71, 115
Officers, duties of ..... [67], 71, 72, 73, 115, 116
Oils and Chemicals, Use and storage of (resolution) 154
Original research encouraged 76

Place of burial of Founders 60
Physical health of students 76
President of the University, powers of .....
..... 58, 66, [69, 70], 74, 99, 104, 128, 129, 154
President's Reports (resolution) 154
Principal to forever remain intact 54, 57
Promises to members of Faculty (resolution) 154
Publications, Division of into Series (resolution) 154
Publications, Exchange of Trustees' Series (resolution) 155

Quorum of Trustees and number of votes necessary for action .....
..... [56, 67], 71, 73, 85, 115, 116

Reconstruction, Commission of Engineers (resolution) 155
Reconstruction, Funds for (resolution) 156
Registrar, appointment and powers 110
Registration fee ..... [70], 75
Registration Fees, Committee on Refunding of (resolution) 156
Registration fees, refund of (resolution) 157

PAGE
Religious instruction....57, 77
Removal of professors....58, 104, 128
Removal of President....57
Removal of trustee....59, 104
Report to Governor....58, 114
Residence sites, for officers and employees....60
Residence sites for parents and guardians....60
Residence sites for professors (resolution)....157
Resignation and Grant of Jane L. Stanford....49, 81
Resolutions Rescinded by By-Laws (resolution)....157
Retirement of members of Faculty (resolution)....157
Roads on Palo Alto Farm not dedicated (resolution)....158
Rules, Adoption of by Faculty (resolution)....159
Rules of discipline....57, 75, 99, 101
Rules of Order....123

Salaries of teachers....57, 104, 128
Salaries, Automatic increase of (resolution)....159
Salaries, equal allowance for each semester (resolution)....159
Sales and Contracts, Authorization of (resolution)....160
San Francisco Residence site, alienability....73, 95, 96
San Francisco Residence site, original trust provision....[85, 86]
Scholarships provided for....60
Scholarship, grants founding....56
Sectarian instruction prohibited....57, 77
Sinking Funds, Bond-Premium, Insurance, depreciation (resolution)..160
Spirit of equality encouraged....80
Societies, Use of university buildings by (resolution)....161
Stock of corporations, voting of (resolution)....161
Storekeeper and supply store (resolution)....161
Students, certain to be excluded....80
Students expected to be of service to public....81
Summer schools....68, 74

Taxation, exemption of certain property from....18, 20
Telephone switches (resolution)....161
Tenure of Associate and Assistant professors (resolution)....162
Tuition fees....18, 20, 60, 61, 75, 80, 162
Tuition fees, statement of policy (resolution)....162
Tuition fees, in law department (resolution)....162

Trustees, election of: PAGE
By ballot 59, 67
At annual or special meeting....67
Notice of vacancy and nomination....67
Election not less than 30 days after nomination or 25 days after notice 113
Trustees, number of 67, 84, 113
Trustees, roll of 7, 40, 51, 52
Trustees, appointment or election of....7, 40
Trustees, death or resignation of....8, 41
Trustees, succession of....9
Trustees, former 8
Trustees, term of 67, 85, 113
Trustees, term commences from date of election or appointment....85

Useful knowledge, advancement, application and dissemination of....80
University, its nature, purposes and scope....55, 57, 76, 79, 80, 81
University, its name....55
University to keep open avenue from lowest to highest stations in life...81

Vice-President or Acting President of University....109
Vina Wine Agency (resolution)....163

Women students, rights of....58
Women students, limitation in number....70

6970

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